upon the question as to whether or not such rates were confiscatory, held that—

The rate-making power is a legislative power and necessarily implies a range of legislative discretion.

This court does not sit as a board of review to substitute its judgment for that of the legislature or of the commission lawfully constituted by it as to matters within the province of either.

The question involved is whether, in prescribing a general schedule of rates involving the profitableness of the intrastate operations of the carrier, taken as a whole, the State has superseded the constitutional limit by making the rates confiscatory.

While the property of railroad corporations has been devoted to a public use, the State has not seen fit to undertake the service itself and the private property embarked in it is not placed at the mercy of legislative caprice but rests secure under the constitutional protection which extends not merely to the title, but to the right to receive just compensation for the services given to the public.

For fixing rates the basis of calculation of value is the fair value of the property of the carrier used for the convenience of the public. (Smyth *v.* Ames, 169 U. S. 466.)

There is no formula for the ascertainment of the fair value of property used for convenience of the public, but there must be a reasonable judgment having its basis in a proper consideration of all relevant facts.

Where a carrier does both interstate and intrastate business, to determine whether a scheme of maximum intrastate rates affords a fair return the value of the property employed in intrastate business and the rates prescribed must be considered separately, and profits and losses on interstate business can not be offset.

Assets and property of a carrier not used in the transportation business can not be included in the valuation as a basis for rate making.

Property of a railroad company can not be valued for a basis of rate making at a price above other similar property solely by reason of the fact that it is used as a railroad, and increases in value over cost can not be allowed beyond the normal increase of other similar property.

In valuing the plant of a carrier for purpose of fixing rates there should be proper deductions for depreciation.

Where the constitutional validity of State action is involved general estimates of division between interstate and intrastate business can not be accepted as adequate proof to sustain a charge of confiscation.

In Smyth *v.* Ames, Smyth *v.* Smith, Smyth *v.* Higginson (169 U. S. 446) in appeals from the Circuit Court of the United States for the District of Nebraska, the Supreme Court of the United States held that—

It is settled that—

(1) A railroad corporation is a person within the meaning of the fourteenth amendment declaring that no State shall deprive any person of property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

(2) A State enactment, or regulations made under the authority of a State enactment, establishing rates for the transportation of persons or property by railroad that will not admit of the carrier earning such compensation as under all the circumstances is just to it and to the public, would deprive such carrier of its property without due process of law, and deny to it the equal protection of the laws, and would therefore be repugnant to the fourteenth amendment to the Constitution of the United States.

(3) While rates for the transportation of persons and property within the limits of a State are primarily for its determination, the question whether they are so unreasonably low as to deprive the carrier of its property without such compensation as the Constitution secures, and, therefore, without due process of law, can not be so conclusively determined by the legislature of the State or by regulations adopted under its authority, that the matter may not become the subject of judicial inquiry.

It is interesting to discover, however, that no Member of the Senate has, so far in this debate, suggested that, as a practical matter, freight rates can be reduced.

The courts have uniformly held that a railway company is a person within the meaning of the law, and that no State shall deprive any railway/person of property without due process of law.

Freight and passenger rates, made and ordered into effect by any governmental regulatory body, which are so low as to deprive the railway company of a fair, just, and reasonable return, have been, without exception, held to be confiscatory and, therefore, repugnant to the fourteenth amendment to the Constitution of the United States.

The program of the President, as well as of those who have discussed the matter, is to bring about a reduction of freight rates for the construction and development of a system of inland waterways over which nonperishable products could be transported at less costs than is now possible over our railway systems. Even this plan is of doubtful value for the purposes mentioned. If such a system were constructed and a certain class of freight were diverted to such transporting channels, it is self-evident that the existing railway lines would be deprived of the revenue from the tonnage thus diverted, and, thereupon, we might expect an application to be made and granted for an increase in rates on the perishable commodities to compensate for the loss of revenues on the commodities, goods, and wares transported on the newly developed and operating waterways.

Mr. President, reduced freight rates over inland waterways will come as a substantial aid to the farmer, along with reforestation, progressive changes in the Republican Party, and the millenium.

Mr. President, in conclusion let me say that while I have some amendments to suggest to the pending measure, irrespective of whether or not any of such amendments are adopted, I will vote for the passage of the bill. I will vote for it for the reason that its passage will commit the Government to the policy of granting relief to agriculture and having committed ourselves to such a policy I have an abiding faith in the fairness of the great majority of our citizenship, that they will see to it that such relief, in a substantial way, is speedily provided.

RECESS

Mr. WATSON. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and the Senate (at 4 o'clock and 45 minutes p. m.) took a recess until to-morrow, Friday, May 10, 1929, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, *May 9, 1929*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, at Thy mercy seat we would humbly bow, beseeching Thee to forgive our sins and let Thy love acquaint us that Thou dost pardon as we forgive. As our country has set its seal upon this Congress and clothed it with the mantle of authority, Holy Spirit of God, give wise guidance to our Speaker and all Members and impress them that the deed is the man. In all situations may we hold on to our honor and keep our conscience clear. The Lord preserve our homes, where pour our thoughts and joys, for there are no such bonds on earth so tender and sublime. Strengthen our faith in humanity. As it takes two to be glad, lead us to seek always wholesome fellowship. When time comes creeping along and it is often so hard to be brave and happy, be Thou our great Companion. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Tuesday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolution:

Senate Resolution 56

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN J. CASEY, late a Representative from the State of Pennsylvania.

Resolved, That a committee of six Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now take a recess until 11 o'clock a. m. to-morrow.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 34. Joint resolution authorizing the Smithsonian Institution to convey suitable acknowledgment to John Gellatly for his offer to the Nation of his art collection and to include in its estimates of appropriations such sums as may be needful for the preservation and maintenance of the collection.

The message also announced that the Senate insists upon its amendment to the joint resolution (H. J. Res. 59) entitled "Joint resolution to extend the provisions of Public Resolution No. 92, Seventieth Congress, approved February 25, 1929," disagreed to by the House; agrees to the conference asked by the

House on the disagreeing votes of the two Houses thereon, and appoints Mr. McNARY, Mr. CAPPER, and Mr. RANSDELL to be the conferees on the part of the Senate.

THE TARIFF ON SUGAR

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FREAR. Mr. Speaker, the report of the Ways and Means Committee giving a 3-cent per pound sugar tariff or 60 per cent ad valorem, present rates, is now before the House. The existing rate of $2.20 per hundredweight has been set aside on the report of the Timberlake subcommittee and increased 40 per cent on the advice of a man named Bates, against the express finding of the Tariff Commission, without any supporting tariff testimony to warrant this astounding sugar increase.

Representative TIMBERLAKE, from the second district of Colorado, is a colleague and personal friend of mine. He represents his constituents well. He is chairman of the sugar subcommittee that brought in this report that without any logical basis for such course increases the sugar duty from $2.20 to $3 per hundredweight or, as stated, a 40 per cent boost in sugar rates with a resulting 60 per cent tariff on 5-cent sugar. That report was accepted by a divided committee vote. American consumers will pay this extortion if it becomes law.

When through the sugar chairmanship he now holds, Mr. TIMBERLAKE'S constituents seek by law to extort unconscionable profits from the people of my State and sugar consumers of every other State, under conditions that challenge the condemnation of the country, I can not remain silent.

Chairman TIMBERLAKE of the sugar subcommittee frankly states he has 16 large beet-sugar mills in his second Colorado district. They belong to the Great Western Sugar Co. That company manufactures 500,000 tons annually or one-half of all the beet sugar produced in the United States. It is a corporation of large wealth that has collected enormous profits during and since the war down to 1929. In February this year the Great Western Sugar Co. reported profits on its common stock according to my information of 45 per cent. Nearly one-half its par stock is measured by its 1928 profits.

The Great Western Sugar Co. through its Representative in Congress, now chairman of the sugar subcommittee, with the aid of a chemist, not connected with the Tariff Commission, recommended and has put through the committee a further 40 per cent increase in the sugar schedule that sold 22,400 shares and boosted its sugar stock on the market on May 7. That report, by a divided vote, is now before the House for consideration.

UNCONSCIONABLE SUGAR PROFITS UNDER PRESENT TARIFF RATES

I am prepared to show that in securing its unconscionable profits from American consumers, as noted, the Great Western Sugar Co. that produces one-half of all our beet sugar does so by employing an army of children, many of them below 10 years of age and some of them as young as 6 years, who work in the fields from 10 to 14 hours a day and sleep with their families in single rooms to the number of 8, 10, and even 12 persons in a room, in tumble-down shacks or hovels frequently worse than leaky rough boarded woodsheds, without the commonest conveniences and no comforts.

By unimpeachable evidence I propose to show the means by which the Great Western Sugar Co. made its 45 per cent profits last year, and through its new 40 per cent boost in sugar rates to 3 cents, with consequent raise in sugar price, expects to increase its present great profits to possibly 80 per cent in 1929, all at the expense of American sugar consumers.

Living and labor conditions, worse than anywhere else in the world outside of beet fields, I desire to disclose is the basis of vast profits received by this great sugar company.

Keep in mind that no beet-sugar grower is sharing in any of the mill stockholder's prosperity nor will they ever do so until this sugar business is conducted like other lines where the interest of the employer and employee are mutual. To-day all the cream goes to the mills and skim milk with little of it to the grower.

Small ill-managed mills will fail, but not due to any tariff rates. The remedy is not by higher tariffs, as I have pointed out before, but by a just bounty as in England.

The recommended 3-cent rate should be reduced to one-half of 3 cents, or $1.50 per hundredweight, with the 20 per cent Cuban preferential allowance which would make the rate on imports of the 3,000,000 sugar tons from Cuba, which we must have, $1.20 per hundredweight, or practically the figures found to be right by a majority of the Tariff Commission in its recent findings and report to the President.

It should be remembered that the increased sugar tariff is not to protect American industries by shutting out imports but solely to raise the price of sugar to the consumer so that the earnings of our sugar mills will be made larger through the increased price. By so doing we pyramid enormous profits from the Philippines and Porto Rico to Colorado and Utah.

One more preliminary statement is offered before proceeding to the subject in hand. Union labor, according to a bulletin before me, has prescribed $1.25 per hour, 8 hours a day and 44 hours a week for blacksmiths and drop forgers. Practically the same for automobile, aircraft, and vehicle workers. The pay of locomotive engineers, firemen, conductors, and other branches of labor is double that of pre-war days, and every unselfish citizen is glad that labor is getting its fair share of present earnings of its employer.

But I am going to show that child labor and weak women, living in wretched insanitary surroundings, are now engaged at starvation wages in rolling up enormous profits of 45 per cent for the Great Western Sugar Co. that makes one-half of our domestic sugar, and this company is pounding on the doors of Congress for higher duties and still higher, enormous profits. Those profits must come from labor and agriculture as well as all other consumers.

FRIGHTFUL LABOR CONDITIONS IN THE BEET FIELDS

It needs a blast of righteous indignation from America's labor organizations to help wipe out this public scandal in labor conditions and to give direct support to millions of sugar consumers who are about to be robbed by this great sugar company that now demands higher prices and greater profits.

On April 20 I made specific charges in my speech of the employment of from 75 per cent to 90 per cent of Mexican labor in the sugar-beet fields and also of disgraceful child-labor conditions in Michigan and Colorado. I also gave some data regarding the employment of Indian children in the beet fields of Colorado.

Replying to this speech, which was apparently fortified by astounding facts from governmental sources, a telegram was read from the Governor of Michigan denying that conditions in Michigan had been properly represented. In order to ascertain the truth, and also that Congress should know the facts and real conditions of labor in the sugar-beet fields of the country, I introduced the following resolution:

House Joint Resolution 62

Joint resolution authorizing the appointment of a committee to investigate domestic sugar industries

Whereas an extensive survey of the domestic beet-sugar industry by the Institute of Economics and a like survey by the Children's Bureau of the Department of Labor alleges that of 500 families then studied one-fourth of the workers in the sugar-beet fields of Michigan were less than 10 years of age and only one-fifth of the workers had reached the age of 14 years; that 90 per cent of the mothers having children under 6 years of age worked in the fields and half the children under that age were usually taken by their parents to the fields; and

Whereas a survey of Indian child labor in sugar-beet fields made by the Institute of Government Research reports that during the summer of 1927 Indian children were employed in the beet fields, sometimes under 13 years of age, with living quarters especially bad, shacks in which they live seriously overcrowded, poorly ventilated, and practically devoid of minimum conveniences, of dirt floors, water supply in Colorado hauled and stored in cisterns not always clean, Indian boys working from 4 to 6 a. m. without food and, excepting at meal times, working until 6 p. m., together with almost unbelievable insanitary surroundings; that these Indian children were taken from school and were sent on a truck 700 miles to distant beet fields, practically all of them returning underweight and many diseased; and

Whereas in 1927 the Bureau of Labor is reported to have found that 75 to 90 per cent of labor in the sugar-beet fields was Mexican, and 3,048 of the 6,720 workers in the Michigan beet-sugar fields were shipped up from Texas by one company for temporary work; and

Whereas these statements from apparently reliable sources are denied by eminent State officials; and

Whereas such charges, if untrue, should be retracted by responsible officials; but, if true, are a disgrace to American standards of labor and living conditions and to every impulse of humanitarianism; and

Whereas the Great Western Sugar Co. of Colorado, which makes 58 per cent of all beet sugar in this country, in its financial statement printed in the Wall Street Journal for April 22, 1929, discloses 171 per cent increased earnings over the previous year; and

Whereas constant propaganda urges that the present excessive tariff rate of 2.2 cents per pound on sugar be further increased to 3 cents per pound, or a 60 per cent tariff on present sugar values; and

Whereas during the past six years domestic beet-sugar production has remained practically stationary and the Louisiana domestic cane pro-

duction within the same period has decreased from 263,000 tons to 145,000 tons; and

Whereas the total domestic sugar production after many years of high protection has furnished only about 16 per cent of the 12,000,000,000 pounds annually consumed in this country; and

Whereas in 1928, 4,000,000,000 pounds of sugar were shipped in free of duty from Hawaii, Porto Rico, and the Philippines, which islands have doubled their free-sugar shipments during the past six years and now produce double the domestic output; and

Whereas a 3-cent duty or 60 per cent ad valorem is urged by domestic sugar propaganda with which to raise the market price from 5 cents to 7 cents to the consumer, with enormous profits thereby granted to island free sugar and domestic production; and

Whereas such increased price of 7 cents will place a direct added burden of $240,000,000 annually upon the consumers of this country and a new added burden of $60,000,000 on the families of 6,000,000 farmers whose debts we are called here to relieve, not increase; and

Whereas, due to rapidly growing free imports from our island possessions and destructive free competition with tropical climate, sugar-cane reproduction crops and cheap foreign labor, it is alleged the American sugar industry will soon be at an end; and

Whereas it is further alleged that no tariff, however high, can meet the situation, but because of rapidly increasing free imports the only alternative for such industry must be a direct bounty system like that built up in European countries, to be maintained by a small sugar duty: Therefore be it

Resolved, etc., That a joint committee of 10 Members of Congress is hereby authorized, 5 to be appointed by the Vice President of the Senate and 5 by the Speaker of the House. Such committee is hereby authorized and directed to make a general survey of the financial and industrial situation of domestic sugar, with special instruction to investigate into labor conditions and contracts made with beet-sugar growers; to report the effect of rapidly increasing free imports of cane sugar upon the future of the domestic sugar industry and what method can be used for the protection of such industry.

Said committee is authorized to send for persons and papers, to administer oaths, to employ such clerical assistance as is necessary, to sit during any recess of Congress and at such places as may be deemed advisable. Any subcommittee duly authorized thereto shall have the powers conferred upon the committee by this joint resolution.

WILL THE GOVERNOR FAVOR MY RESOLUTION?

In order that the original facts then set forth may be supported by further data that challenges the serious attention of every Member of Congress, I quote herewith further facts regarding child labor in the beet fields that is based upon the highest Federal and State governmental authority, and I ask that an investigation be had covering the original facts set forth in the resolution, and in addition thereto further data that is offered herewith.

The United States Department of Labor has published an authoritative pamphlet, No. 115, entitled "Child Labor and the Work of Mothers in the Beet Fields of Colorado and Michigan." I have briefly recited in my speech of April 20 some conditions found in the beet fields of Michigan. The investigation by Government agents in Colorado as well as Michigan is briefly recited in the following pages:

The beet-sugar industry has been developed on a larger scale in Colorado than in any other State in the Union, and for a number of years Colorado has led all States in the area harvested and the tons of sugar produced, though both Michigan and Utah have as many sugar factories in operation. * * *

The present study of child labor and the work of mothers in the Colorado beet fields was made in the beet-raising area north of Denver, in Weld and Larimer Counties. In no other two counties in Colorado are beets so extensively grown. * * * (p. 11).

All the sugar factories in these two counties, five in number, were owned by one sugar company—the Great Western Sugar Co.—that produces 50 per cent of all our domestic beet sugar, and these counties are in the second Colorado congressional district, of which Mr. TIMBERLAKE, chairman of the sugar subcommittee, is the Representative. It should be kept in mind that in his district are located 16 mills of the greatest sugar company in the country, that made profits around 45 per cent on its common stock last year, all paid by American consumers. The proposed duty of 3 cents per pound favored by his committee ought to give profits to his mill constituents of 50 per cent and more annually based on existing profits.

EXTRACTS THAT TELL THE STORY

Quoting from the report:

They reported to the Children's Bureau that 4,234, or 44 per cent, of the hand workers who they stated were required were brought in from outside districts, and that the remaining laborers were resident.

The Colorado investigation covered—

Five hundred and forty-two families in the two counties—

In Chairman TIMBERLAKE'S district—

of which over three-fourths were contract laborers. Comparatively few were families owning or renting farms and cultivating their own beets, and only 13 per cent were tenant farmers. * * * (p. 13).

Less than 15 per cent of the fathers and mothers in the families visited had been born in America, and over two-fifths of these were of Mexican stock. * * * Russian-Germans formed the largest group of foreign-born parents. * * * (p. 14).

In the families visited, 1,073 children between 6 and 16 years had worked in the beet fields during the season of 1920. All except 37 of them had worked for their own parents and without remuneration. The child labor law of Colorado, like that of most States, exempts agricultural work from its minimum-age provision, and children may be put to work in the fields at any age. Four children even younger than 6 years were reported by their parents as having worked a part of each day for from one to eight weeks. Among the working children between 6 and 16 years of age covered by the study, well over one-fourth were less than 10 years of age and more than one-half were from 10 to 13, inclusive. Only 191 working children had reached their fourteenth birthday. * * * (p. 18).

More than three-fifths of the 8-year-old children in the families in which at least one older child had already gone to work were beet-field workers. From the age of 10 on practically all worked in the cultivation of beets. Even among the 6 and 7 year old children one child in four was reported as working. * * * (p. 19).

This is not in Russia or the Fiji Islands but in the State of Colorado, the home of the great, prosperous Great Western Sugar Co., in a State and district so ably represented by Representative TIMBERLAKE, chairman of the sugar subcommittee.

Of the 1,073 working children, 571 had already spent more than 6 weeks in the beet fields during the 1920 season, and 61 of them had worked from 12 to 17 weeks. Five children under 8 years of age, 18 between 8 and 9, and 16 between 9 and 10 had worked 10 weeks or more. One-fifth of the laborers' children had worked at least 10 weeks—practically twice as many proportionately as the children of tenant farmers. * * * (p. 20).

Page after page is given to specific cases of child labor in beet fields in Chairman TIMBERLAKE'S district, and only two or three illustrations will be furnished from that pamphlet.

Four Russian-German children, ranging in age from 9 to 13 years, came to the beet fields with their family the 1st of June. They worked at thinning and blocking for more than three weeks, 14½ hours a day, beginning at 4.30 a. m. They took five minutes in the morning and again in the afternoon for a lunch. They took 20 minutes for dinner. About July 1 they went home, remaining until the middle of the month, when the hoeing began. They spent five weeks, 14½ hours a day, hoeing, and again went home, returning September 21 for the harvest, which lasted four weeks. * * *

Three little boys of 8, 10, and 12 years, with their 15-year-old sister and their mother and father, worked on contract for more than 14 weeks, 11 and 12 hours daily, caring for 53 acres of beets. * * * (p. 23).

A little Mexican girl, aged 8 years, worked at thinning 10 hours a day for four weeks in June. She did no hoeing. * * *

The paragraph further relates to the overworking of this child 3½ weeks at 10 hours a day.

In one native American family four boys, aged 7, 10, 12, and 15 years, spent three weeks at the spring process, working an 11-hour day. They were in the field from 7 in the morning until 7 at night; took one hour off for dinner. * * *

These were not stockholders in the company that made 45 per cent profits in sugar in 1928, but the last paragraph is from a torn page of man's inhumanity to children of his fellow man; helpless children exploited by the Great Western Sugar Co., of Colorado, that makes unconscionable profits through existing sugar rates—and yet demands more.

Again I quote from the official Government report:

A Russian-German family came out from town March 22. In this family were 3 children working, 12-year-old Frieda, 9-year-old Willie, and Jim, age 7, who worked irregularly. They spent 3 weeks at the spring work, putting in a 12½-hour day; 2 weeks at hoeing for 11 hours a day; and up to the time of the agent's visit had spent about 3 weeks at the harvest, which was not yet finished. All together they worked about 9 weeks, probably very hard, since the 3 children, 1 working irregularly, and 3 adults had cared for 50 acres.

Somewhat similar working conditions were found in a family in which 2 little girls, age 12 and 13 years, with 3 adults, took care of 50 acres

of beets. The children had worked all together 11 weeks, 10 and 12½ hours a day * * * (p. 24).

Some of these children and their parents made no complaint of their work but seemed glad to get employment, which sounds like familiar sweat-shop sentiments, but a great many families, on the other hand, spoke of the hardships of the work in the beet crop, especially for women and children.

DIVIDENDS IN THE BEET FIELDS

"We all get backaches," was a common complaint. "Hardest work there is," said others. One mother "couldn't sleep nights" because her "hands and arms hurt so." Although the children being small do not have to bend over the plants as constantly as adults, therefore may not suffer the same sort of hardship, yet the work is no doubt a strain. A little girl, 6 years old, told the children's bureau agent that her back was getting crooked from her work "in beets." One mother declared that the "children all get tired because the work is always in a hurry." A contract laborer with a large acreage said that his children "scream and cry" from fatigue; and another said, "The children get so tired they don't want to eat and go right to bed. Beets are harder work than working in a steel mill. The children don't get fresh air, as they have to lie in the dust and crawl on their knees all day * * *" (pp. 25–26).

Six o'clock was reported as the usual hour for beginning work, but some families started as early as 4.30 or 5 o'clock. "The old man chases us down to the field early in the morning (4 o'clock)," said one boy, adding, "But we get even with him; whenever he leaves the field we stall." After a hasty breakfast, eaten in some cases in the field, work was practically continuous until midday, when the majority of the families went home to dinner.

Can any picture of American working conditions be more degrading than this grinding of helpless children by the Great Western Sugar Co., a company that makes half of the American beet sugar at existing tariff duties and reported 45 per cent profits for last year?

The Government report continues:

There was no general lay off, as in some kinds of farm work, during the heat of the day. Only an hour was usually allowed for dinner. A few families reported their "dinner hour" as lasting only 10 minutes. Work continued until 6 or 7 o'clock. About half the laborers' families said that they took a rest of 15 minutes or half an hour in the morning or afternoon, or both, often eating a slice of bread at that time, but some regarded such a practice as all foolishness! * * * (p. 27).

On page 31 I quote:

"Fall is the meanest time," declared one of the fathers. "Women are wet up to their waists and have ice in their laps and on their underwear. Women and children have rheumatism. Jacob (13 years old) is big and strong, but already feels rheumatism, so he has to kneel while topping. Can't stand all day." Often the clothing freezes stiff in the frosty air, and only by midday does the warm sun dry off the cotton skirts and overalls. In wet years the workers say they get muddy to the skin. During the last weeks of the harvest light falls of snow frequently add to the discomfort. The children's hands are chapped and cracked from the cold, and their fingers are often sore and bleeding.

The company officials forgot to give that picture to the Ways and Means Committee.

Page after page of this enlightening report relates to work in the beet fields and the housing and sanitation, where lack of both and living quarters are bad beyond description. On page 67 I quote:

HERE'S HOW THE WORKERS LIVE

Many of the beet-field laborers' families live under such conditions of overcrowding that all comfort and convenience had to be sacrificed, and no privacy was possible. * * * There were 320 of these families, amounting to 77 per cent of the total number. Only 21 per cent reported less than 2 persons per room. Almost half were living with 3 or more persons to a room. One hundred and ninety-one families, averaging 6.6 persons per family, occupied 2-room dwellings. Among them were 94 households of more than 6 members each and 14 of 10 or more each; the latter included 1 household in which there were 2 families and another consisting of 3 families. This means that from 3 to 7 persons had to sleep in each of the two rooms, one of which had to be used as a kitchen and living room. Fifty families, consisting of from 3 to 11 persons per family, lived in one room. One of these households included a father, his son and daughter, each over 16 years of age, a younger child, and a girl over 16 who helped the family with the beet-field work * * * (p. 67).

We send missionaries to China; why not Colorado? We expect children to grow up into decent men and women, with 11 people living in one room. That is necessary, however, if 45 per cent annual profits are to be squeezed out of child labor by the Great Western Sugar Co.

On page 69 regarding the health of school children working in the beet fields it says of these counties in Chairman TIMBERLAKE'S district:

It was not difficult in Weld and Larimer Counties to find during school hours in October, November, and December, 1920, 1,022 children belonging to families employed in the beet fields, although the beet harvest season was at its height and many schools in these two counties had been closed to allow the children to work in the fields. These children may be considered a fairly typical group as far as working conditions are concerned. * * *

And the same company that made 45 per cent profits last year continues to exploit these children.

In the same document of 122 pages is contained a long discussion of child-labor conditions in Michigan beet fields. I have referred to this in my previous discussion in the House and can only add that the facts heretofore recited are sustained by specific cases on every page. For illustration, on page 85—

In the 511 families visited were 763 children between 6 and 16 years of age who had worked in the beet fields in 1920. Only 1 in 5 had reached the age of 14 or 15, while 1 in 4 was less than 10 years of age. Over one-half were from 10 to 13 years of age. In some families no child was considered too young to count as a beet-field worker. One Hungarian father, a miner from West Virginia, who said he had come to the beet-growing country because his children were too young to work in the mines, but could help "in beets," had all four of his children at work in the fields, the oldest 12, the youngest only 5 years of age. Four children under the age of 6 were reported by their parents as working. In most families, however, the tendency was to spare the very youngest children. * * * Nevertheless in families in which it appeared to be customary for children to work, judging by the fact that at least one older child was a beet-field worker, almost one-fifth of the 6-year-old children and two-fifths of those who were 7 years of age were at work. At 8 three-fifths of the children in these families, and at 11 practically all, had begun working in the beet fields.

Page after page of statistics are given to child-labor disclosures, which statements have been specifically denied before the committee in a telegram from the Governor of Michigan.

AFTER THE SUGAR HARVEST

Many items of human interest affect this Mexican child-labor situation and I could quote extensively on the same, but a paragraph from the speech of Hon. JOHN C. BOX, of Texas, May 23, 1928, has been called to my attention and ought not to be overlooked. He quotes witnesses before his committee as saying:

Mexican labor receives lowest wages paid this section. Living conditions this class intolerable. * * *

From a letter written March 5, 1928, to me from San Antonio, Tex., by R. T. Glenn:

"A Mexican laborer can live and does live on about 15 cents per day table expenses. This is common knowledge here. As for housing, from one to three families live in one shack * * *."

H. H. Maris, who signs as president of the Humanitarian Heart Mission, writes me from Denver, Colo., March 1, 1928, a letter from which I quote:

"The sugar-beet company imports the very poorest and ignorant Mexicans with large families; brings them to Denver, working them in the beet fields until snow flies. They then congregate in Denver with $15 to $20 to keep a large family, and no possible means of support by labor in sight, through the winter season. The police and city kangaroo courts vag most of the men, keeping them in jail for the winter, leaving their poor mothers and their children to starve through these desolate months. Children absolutely barefooted in the snow. I have seen 29 men and women in one room with an old, dirty bed mattress laying on the floor of the room, all of the 29 adults using the mattress for a pillow, the small children and babies in the center of the mattress and the adults laying on the floor with only newspapers under them * * *."

Again remember this is not in the wilds of Africa, but in Colorado after the beet-field worker has received his part of the profits from his work.

I quote from paragraphs on page 108, that are typical of many other statements in this illuminating publication:

Many women declared "beet work is no work for women," and told of their difficulties in trying to help in the fields and perform the most necessary household tasks, even when adequate care for the children was not considered. The following are typical comments on this situation made by mothers, all of whom had young children.

"I have to work in the field from 4 o'clock in the morning until 7 at night and then come home and cook and bake until 12 and 1 o'clock."

"At first I tried to cook—worked in the field from half past 5 in the morning until 7 at night, and then came home, and was often making bread and cake at 1 and 2 in the morning. But it was too

much, and toward the end of our hoeing there were days when we practically lived on milk." * * *

"The work is too hard for any woman. By the time you have worked 12 or 13 hours a day bending over you don't feel much like doing your cooking and housework." * * *

WHO DENIES THESE GOVERNMENTAL REPORTS?

Some of the descriptions regarding children of the mothers in these pages are so heart-rending that they condemn the entire sugar-beet business as conducted in this country. It has been said by the Governor of Michigan that these painstaking surveys of conditions in Michigan and, I also assume, in Colorado are not to be absolutely accepted. There can be no doubt in the mind of anyone who reads the facts related and many pages of specific cases referred to that every illustration was correctly noted and in many cases understates rather than overstates the situation.

No wonder governors resent such criticism of their Commonwealths. Will the Governor of Michigan and the Governor of Colorado invite Congress to send a committee to those States to investigate the charges made in my speech of April 20 and others recited herein? I will warrant that anything other than a whitewashing committee will find the child-labor situation practically as stated by responsible Government inspectors, who have no reason to exaggerate conditions. They are bad enough without exaggeration.

HERE IS AN INDEPENDENT COLORADO REPORT

I have before me the Fifth Annual Report of the Mexican Welfare Committee of the Colorado State Council of the Knights of Columbus. This report is as severe in its denunciation of existing labor conditions in Colorado as anything I have seen, but I can only give space to one or two quotations which are typical of many others in the same publication:

TWENTY THOUSAND MEXICAN WORKERS

During 1926, according to the best information obtainable, there were more than 15,000 Spanish-speaking beet workers, "hands," in the northern Colorado sugar-beet districts; over 3,000 in the Arkansas Valley, about 1,000 on the western slope, and about 4,000 in the mines, on the railroads, and in other common labor. * * *

During part of the year 4,000 to 7,000 Spanish-speaking people live in Denver. There they are crowded into slum districts and live under conditions and subject to environment and influence that can not help but be detrimental to health, morals, and religious faith. * * *

MIGRATION AND HOUSING

Because of bad housing, polluted water, lack of screens, and sanitation, a great deal of preventable sickness always exists and the death rate, particularly among the women and children, is high. In one district in Weld County, a recent survey made by the National Child Welfare Committee states that "out of 104 Mexican families 57 lost 152 children by death. This averaged 2.7 children per family for the ones who lost and 1.5 for the group." Such conditions are a menace not only to the Mexicans but because of possible epidemics to entire communities.

Publication after publication carries out this same tale of labor conditions in the beet-sugar fields. Remember this is from Colorado where the sun shines alike on the just and unjust; on the helpless children in beet fields and on those who exploit them.

Let me further say that nobody in Colorado has yet furnished a scintilla of evidence that the beet growers of the State share in the prosperity of the mill owners. The beet growers continue to work in jeans and rags, but their mill employers will parade in silks until a better and fairer adjustment of profits occurs.

THIS IS FROM AN OFFICIAL COLORADO STATE PUBLICATION

Other and more recent statistics have been made of the children working in the beet-sugar farms in northern Colorado, and I have before me a publication entitled "Series 27," issued November, 1926, by the Colorado Agricultural College, Fort Collins, Colo. It comprises 160 pages on child labor. It would be impossible for me to more than touch upon conditions as related by this book, but again I invite your attention to pages that recite unbelievable conditions now existing in sugar-beet fields carried on by the Great Western Sugar Co. in Colorado. Remember again this is Colorado testimony. Quoting from page 35 of this publication it states:

Nine children were found working at 6 years of age, 2 of these being children of owner, 3 of tenant, and 4 of contract families. There were 28 children working at 7 years of age, 22 of whom were from the contract family. There were 91 8-year-old workers, 73 of whom were contract children, 11 tenant, and 7 owner. The largest number of workers of any age was at 14, where we found 164. This is not at all significant, as 161 children were working at 12, 155 at 13 years.

More than 1,000 working children of all ages and tenures worked in the handwork of crops an average of 8.3 hours a day for an average of 44 days. This included all children from 6 to 15 years of age, and it included many children who worked for a very short time and for a very few hours per day * * * (p. 37).

Among the 6-year-olds, one worked 14 hours a day, two 12 hours a day, and one 10 hours a day. (In a State that boasts of its high standards and in a country where American labor and union rules have recognition.) Among the 7-year-olds, one worked 13 hours a day, three worked 12 hours a day, one 11 hours, and five 10 hours a day. Of the 9-year-olds, one worked 14 hours a day, two 13 hours, ten 12 hours, fifteen worked 11 hours, and forty-three worked 10 hours a day. Among the 12-year-olds, seven worked 14 hours, four 13 hours, fifteen 12 hours, twenty-two 11 hours, and sixty 10 hours (p. 38).

This is taken from an official Colorado agricultural publication that describes working conditions in the Great Western Sugar Co. beet fields. I submit they are nowhere worse in the world than in the State of Colorado.

Again I quote:

Two Mexican children worked 16 hours a day, 1 German and 13 Spanish working 14 hours a day; 13 Germans and 10 Mexicans working 13 hours a day, and so on * * *.

Union labor is contending for seven and eight hour days and five days a week. Is it possible that union labor and the American Federation of Labor alone need protection, or will its officials close its eyes to the scandalous condition found among these children who work among American sugar-beet fields? Page after page is given over to such children and also to their families. It is largely a repetition of conditions related in the Department of Labor publication, but I quote a paragraph from page 90, which sounds familiar to those who are seeking the facts:

The contract houses are usually unattractive, frequently in bad repair; often without screens, often in a dirty condition to begin with. One-fourth of them are old. Often surroundings are dirty, and frequently the houses are too close to barns or corrals. The toilet (always outdoor) is frequently little short of indecent in condition and repair. Granted that the conditions are as good or better than in the previous homes of the people under consideration, it becomes a question of American ideals and standards.

So says this Colorado agricultural publication.

This is not only for the inspection of labor officials, but calls for words of explanation from the Great Western Sugar Co., to which I will briefly refer later. On page 91 it states:

I find that the average number of persons per bedroom among the owner families is 1.91; among tenant families, 2.4; owner additional, 2.4; wage, 2.5; and contract, 4 * * *.

MANY TALES OF MISERY FOR SUGAR PROFITEERS

Of the 296 contract families in the study 19 lived in 1-room shacks. Of these 19 families in 1-room shacks there are in two of them 3 persons; in two others, 4 persons; in three others, 8 persons; in one 1-room shack, 6 persons; in four 1-room shacks, 7 persons; in three 1-room shacks, 8 persons; and one other, 12 persons. Nine of these 1-room shacks house 6 or more persons, one houses 12 persons, and a lean-to tent is provided for the hired man. Thirteen of these families are of Spanish descent and 6 are Russian-Germans. * * * There are no bath facilities in any of these houses * * *.

Continuing on page 99:

One father expressed the housing conditions this way, "The general conditions of the house ain't much." Said a Mexican mother with 12 in the family, all in one room, "How can you expect folks to live decently when given a place like that [pointing to the shack] to live in?" And the surveyor added, "When it rains, with the roof full of holes, they are wet; in May it was impossible to keep warm, and now it is insufferably hot."

The houses of the contract families may be expected to be found in locations near barns or irrigation ditches, where flies and mosquitoes are most numerous. Yet these are the very buildings with the largest number of unscreened doors and windows. * * *

It will readily be understood that people living under such conditions in the enlightened State of Colorado and children of 6 years working 10 hours a day and more in the beet fields without any bathing facilities in the average house are not given much recreation. After having visited cane-sugar fields in the Philippines, Porto Rico, Hawaii, and Cuba, I say without hesitation that nothing in all these islands can compare in degraded surroundings and insanitary conditions with those described in Colorado. Nowhere in all the islands have I observed child labor as depicted in these various publications. In fact, I challenge any Member of the House to present evidence of child labor in any of the islands or elsewhere that will compare with the conditions described by these official publications to exist in Colorado and in Michigan.

Only half the story has been told. I hold in my hands the following statement of the Great Western Sugar Co., that owns large sugar mills to which sugar beets are furnished under conditions described in the United States Department of Labor and Colorado Agricultural College reports.

The Great Western Sugar Co. in 1928 reports 504,000 short tons production of beet sugar. This has been estimated at 48 per cent instead of 58 per cent as previously stated, or practically one-half of our total beet-sugar production. Its annual report for the year 1928 is made to February 28, 1929, and is as follows:

Net income, after deducting expenses, interest, depreciation, and taxes	$7,785,000
Dividends on preferred stock	1,050,000
Earned on common stock	6,735,000
Outstanding common stock	15,000,000

Per cent earned on common stock, 44.9 per cent.

Let me repeat that the percentage of profits of the Great Western Sugar Co., that produces one-half of all the beet sugar consumed in the United States, was practically 45 per cent in 1928. Ten per cent on stock gives a generous earning capacity, but this company made $5,235,000 more than this 10 per cent in its $6,735,000 of earnings, and these earnings were made after screwing down beet growers to $7 per ton on sugar beets—beets produced by child labor and broken-down women, by families living in hovels, who worked from 10 to 12 and sometimes 14 hours a day in order to roll up profits in 1928 of 45 per cent on common stock of this company. And these beet growers and workers never shared in the 45 per cent profits of the mill stockholders. They drank only the dregs.

If the average American citizen would say that the Great Western Sugar Co., now knocking on the doors of Congress demanding a 40 per cent increase in present rates, or a 60 per cent tariff duty on imported sugar, should first take account of stock, that the responsible officers of this organization and their legislative representatives must first demand of the company that it furnish living conditions and decent sanitary surroundings and less child labor before it comes to Congress for aid, then the company, if in financial need, would come with clean hands.

Never in all history, I submit, has such monstrous proposal been offered to Congress as that disclosed by this great sugar company that made 45 per cent profits on its common stock last year out of $7 per ton beet-sugar contracts with labor produced by women, and children in many cases under 7 and 8 years of age.

Conditions disclosed, it must be remembered, are found in the home district of the chairman of the sugar subcommittee who represents 16 mills of the Great Western Sugar Co., located in his district.

As stated before, I repeat, less than 8 per cent of all the domestic sugar consumed in the United States is produced in beet-sugar factories outside of the Great Western Co., and that company, with its scandalous record of labor conditions and enormous profits, requires no help. It seems incredible that the 120,000,000 consumers in the United States are to be held up by the throat in this tariff bill in order to give a small pittance to sugar mills that produce 8 per cent of the product, when in order to do so we will be called upon to raise the price of 12,000,000,000 pounds of sugar that are annually consumed by the American people.

In my speech of April 20 I dwelt at some length on many of the conditions that confront the beet-sugar industry to-day that call for relief, but an increased tariff rate will only serve to increase the profits of the Great Western Sugar Co., that earned 45 per cent on its common stock in 1928. It will serve in like manner to increase the large reported earnings of the Porto Rican, Philippine, and Hawaiian mills and to stimulate sugar production so that free imports from these islands, that increased 100 per cent during the last six years, will continue to increase at the same rate. Eventually the American beet-sugar mills will be wiped out with the Great Western companies holding out longer than the others but unable eventually to compete with tropical climate, rattoon crops, and labor conditions of the Tropics.

I say this because it is incredible that the Great Western Sugar Co. will be long permitted to employ child labor and weak women in the fields, surrounded by living conditions that have been described by governmental publications. When well-paid American labor is placed in the fields it will not agree to contract for $7 per ton beet sugar but will demand its share of the profits, and when that occurs the Great Western Sugar Co. will meet its Waterloo in comparison with free sugar from the islands.

Again I repeat, I have no desire to injure any mills. I believe they should be sustained for national reasons, and we ought to preserve our sugar industry, but not by child labor or disgraceful conditions that surround some of these mills to-day.

I have proposed a small bounty to be paid out of the revenues received from tariffs levied on 3,000,000 tons of sugar we now import. It is the only right solution, and in my speech of April 20 I sought to set forth in an impartial manner facts that ought to appeal to the judgment of everyone interested in the maintenance of the sugar industry.

I am opposed to a 3-cent sugar tariff because it is only temporary relief, if at all, in character, is not right to the consumer, and can not be justified from any line of reasoning. Every consumer in the land will be opposed to it when it is understood that the increased tariff is not to protect American industries by shutting out imports but to raise prices of sugar so the earnings of our sugar mills will be made larger through the increased price. It is the only reason for a tariff increase and a novel proposal in a protective tariff bill and can not be defended before any fair-minded audience.

I submit these views in this form rather than offer them in minority views. I trust they will receive the favorable consideration of the House by causing the entire sugar and molasses schedule to be reported by a Republican conference to the House for decision and that the House may pass a reasonable tariff rate on both molasses and sugar. A sugar rate of $1.20 per hundred is in excess of a just rate for Cuba, it is contended, but that rate should be adopted by the American Congress in preference to the committee rate of $2.40.

On molasses the existing rate of one-sixth of a cent per gallon has been agreed to for stock feed, but a rate of 2 cents per gallon for distilled alcohol is farcical because it does not protect any alcohol factories in the country. It only loads a burden on every user of industrial alcohol. There should be no distinction in molasses imports, but all ought to be placed upon a basis of one-sixth of a cent on molasses, which is the present tariff rate for stock feed.

The tariff on sugar, in my judgment, ought to be that found by a majority of the Tariff Commission, $1.23 per hundredweight on Cuban sugar, which gives 20 per cent preferential allowance. This rate is a just difference in cost of production between Cuba and sugar industries in this country. I hope the House will so decide.

LEGISLATION FOR GOLD STAR MOTHERS

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Public Law 952 of the Seventieth Congress, and to incorporate therein some references to the record of the Oregon men and women who are buried in the national cemeteries of Europe.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker, in a world that remains all too full of grief, selfishness, and lust for power, it is well that we should set aside a day in grateful remembrance of the virtues personified in our mothers. There is no shrine at which men worship more willingly than at this one. Under the magic spell of the name "mother" there comes trooping before our minds everything that is symbolic of beauty, love, and devotion. The doors of the past swing open and there we see painted in glowing colors our mothers in their countless ministrations of tenderness and affection. Few lives have become so hardened that they are not deeply moved by the reflection of what mother has done and what she meant to each life. It was such reflections as these which induced the Members of this House to pass a law in the Seventieth Congress making it possible for gold star mothers to visit those foreign lands where so many of the young manhood of this Nation laid down their lives in paying that last full measure of devotion to country. This law is really a poem, and well may it be read on Mother's Day along with those other poems which we so dearly love to read. I shall therefore place a copy of it in the RECORD:

Public Law, No. 952, Seventieth Congress (S. 5332)

An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries

Be it enacted, etc., That the Secretary of War is hereby authorized to arrange for pilgrimages to cemeteries in Europe by mothers and widows of members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, and whose remains are now interred in such cemeteries. Such pilgrimages shall be made at the expense of the United States under the conditions set forth in section 2.

SEC. 2. The conditions under which such pilgrimages may be made are as follows:

(a) Invitations to make the pilgrimages shall be extended in the name of the United States to the mothers and widows for whom the pilgrimages are authorized to be arranged under section 1.

(b) Upon acceptance of the invitation the mother or widow shall be entitled to make one such pilgrimage; but no mother or widow who has previous to the pilgrimage visited cemeteries described in section 1 shall be entitled to make any such pilgrimage, and no mother or widow shall be entitled to make more than one such pilgrimage.

(c) The pilgrimages shall be made at such times during the period from May 1, 1930, to October 31, 1933, as may be designated by the Secretary of War.

(d) For the purpose of the pilgrimages the Secretary of State shall (1) issue special passports, limited to the duration of the pilgrimage, to mothers and widows making the pilgrimages and to such personnel as may be selected to accompany and/or arrange for the pilgrimages, if such mothers, widows, and personnel are citizens of the United States, and (2) issue suitable travel documents, if aliens. No fee for either of such documents or for any application therefor shall be charged. Such alien mothers, widows, and personnel shall be permitted to return and be granted admission to the United States without regard to any law, convention, or treaty relating to the immigration or exclusion of aliens, if the return is made within the period covered by the pilgrimage of the particular group or, in the case of personnel, within such times as the Secretary of War shall by regulation prescribe; except that in any case of unavoidable detention the Secretary of War may extend in such case the time during which return may be made without regard to such laws, conventions, or treaties.

(e) The pilgrimages shall be by the shortest practicable route and for the shortest practicable time, to be designated by the Secretary of War. No mother or widow shall be provided for at Government expense in Europe for a longer period than two weeks from the time of disembarkation in Europe to the time of reembarkation in Europe. In the case of any mother or widow willfully failing to continue the pilgrimage of her particular group, the United States shall not incur or be subject to any expense with regard to her pilgrimage after such failure.

(f) Vessels owned or operated by the United States Government or any agency thereof shall be used for transportation at sea wherever practicable.

(g) Suitable transportation, accommodations, meals, and other necessities pertaining thereto, as prescribed by the Secretary of War, shall be furnished each mother or widow included in any pilgrimage for the entire distance at sea and on land and while sojourning in Europe and while en route in the United States from home to port and from port to home. Cabin-class accommodations shall be furnished for all transportation at sea. No mother or widow shall be entitled, by reason of any payment made by or for her, to be furnished by the Government with transportation, accommodations, meals, and other necessities pertaining thereto different in kind from those prescribed by the Secretary of War for the pilgrimage of the particular group.

(h) All pilgrimages shall be made in accordance with such regulations as the Secretary of War may from time to time prescribe as to the time, route, itineraries, composition of groups, accommodations, transportation, program, arrangements, management, and other matters pertaining to such pilgrimages.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry into effect the provisions of this act. The Secretary of War is directed to make an investigation for the purpose of determining (1) the total number of mothers and widows entitled to make the pilgrimages, (2) the number of such mothers and widows who desire to make the pilgrimages and the number who desire to make the pilgrimages during the calendar year 1930, and (3) the probable cost of the pilgrimages to be made. The Secretary of War shall report to the Congress not later than December 15, 1929, the results of such investigation.

SEC. 4. As used in this act—

(a) The term "mother" means mother, stepmother, mother through adoption, or any woman who stood in loco parentis to the deceased member of the military or naval forces for the year prior to the commencement of his service in such forces.

(b) The term "widow" means a widow who has not remarried since the death of the member of the military or naval forces.

Approved, March 2, 1929.

The provisions of Public Law No. 952 are plain, concise, and easily understood. It appears unnecessary for anyone to attempt to construe them. The spirit that actuated Congress to enact this legislation may readily be gathered from the statement made by Mrs. Matilda A. Burling, national representative of the Gold Star Mothers' Association of America, before the House Committee on Military Affairs on January 27, 1928. For the benefit of all those who have not yet received a copy of the committee hearings I will quote just a brief excerpt from Mrs. Burling's statement:

You no doubt realize how anxious the gold star mothers are to visit sons' graves. Have you gentlemen stopped to think and consider what America would have done if it had not been for these mothers? Not alone the gold star mothers but the mothers who gave their sons to serve their country. It was the mothers who suffered to bring these boys into the world, who cared for them in sickness and health, and it was our flesh and blood that enriched the foreign soil. Can you picture the anxiety of these mothers watching at the door for the postman every day for the little letter that was to come from her boy, and the agony and suspense when those letters stopped, and then only to be replaced with a telegram from Washington informing her that her boy was wounded or missing or dead?

Many of these boys were just in the bloom of life, just going into manhood. Some of these mothers lost one, some two, and some three, and some four.

I would like to take my case for an example. On February 13, it will be the tenth anniversary of the death of my boy. He was my only child. To me he was only a child, only 17 years old when he went across. He was killed at the time when to me life was the sweetest, only to have been turned to sorrow at the receipt of the dreadful telegram announcing his death.

There are many nurses who were with the boys when they died. They have informed mothers that the boys' lips were sealed with the words "Mother, my mother." Oh, what a death, to be calling for his mother. Can the Government ever repay us for our loss?

Subsequent to the passage of Public Law No. 952 I wrote the Quartermaster General of the United States Army at the War Department for a list showing the names, organizations, and grave locations of all the members of the American forces enlisted from the State of Oregon whose remains are now interred in the cemeteries of Europe. On April 27, 1929, the Quartermaster General answered my letter. I take pleasure in inserting with my remarks a copy of the Quartermaster General's inclosure, including a list of names of Oregon heroes who gave their lives as a part of the price of victory in the late struggle for freedom, justice, and democracy.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, April 27, 1929.

Hon. FRANKLIN F. KORELL,
House of Representatives, Washington, D. C.

MY DEAR MR. KORELL: I am inclosing herewith a list showing the names, organizations, and grave locations of the members of the American forces enlisted from the State of Oregon, whose remains are now interred in the cemeteries in Europe.

With reference to the inquiry contained in your letter of April 23, 1929, it is my opinion that Public, No. 952, Seventieth Congress, only authorizes the Secretary of War to arrange for pilgrimages to American cemeteries in Europe by the mothers and widows of the members of the military or naval forces of the United States whose remains are now interred in such cemeteries. This act would evidently not include pilgrimages to the graves of deceased veterans buried in Siberia or in places in France, Belgium, or England, other than the American cemeteries.

Very truly yours,

B. F. CHEATHAM,
Major General,
The Quartermaster General.

KEY TO NAMES OF PERMANENT AMERICAN CEMETERIES IN EUROPE

FRANCE

No. 1232. Meuse-Argonne American Cemetery, Romagne-sous-Montfaucon, Meuse.

No. 1764. Aisne-Marne American Cemetery, Belleau, Aisne.

No. 34. Suresnes American Cemetery, Suresnes, Seine (near Paris).

No. 636. Somme American Cemetery, Bony, Aisne.

No. 608. Oise-Aisne American Cemetery, Seringes-et-Nesles, Aisne.

No. 1233. St. Mihiel American Cemetery, Thiaucourt, Meurthe-et-Moselle.

BELGIUM

No. 1252. Flanders Field American Cemetery, Wearaghem, Belgium.

ENGLAND

No. 107–E. Brookwood American Cemetery, near London, England.

BURIAL PLACES IN EUROPE OF DECEASED SOLDIERS FROM OREGON

First Division

Waldo E. Caufield, sergeant, Headquarters Detachment, No. 1232, grave 37, row 15, block F.

Otis Hays, corporal, Company C, Sixteenth Infantry, No. 1764, grave 4, row 11, block B.

Ray Ross Bravinder, second lieutenant, Company F, Eighteenth Infantry, No. 1232, grave 23, row 41, block B.

Smith F. Ballard, private, Company D, Eighteenth Infantry, No. 608, grave 19, row 23, block C.

Niles H. Galusha, private (first class), Company F, Eighteenth Infantry, No. 34, grave 1, row 5, block A.

George Schubert, private (first class), Company D, Eighteenth Infantry, No. 1232, grave 22, row 33, block D.

Fred E. Aune, private, Company C, Twenty-sixth Infantry, No. 608, grave 9, row 25, block A.

George J. Neff, private, Company G, Twenty-sixth Infantry, No. 608, grave 5, row 36, block A.

Glen E. Schaap, private (first class), Company L, Twenty-sixth Infantry, No. 1232, grave 10, row 25, block D.

Conrad C. Cockerline, private, Company A, Twenty-eighth Infantry, No. 1232, grave 18, row 3, block F.

Willis Hines, private, Company A, Twenty-eighth Infantry, No. 608, grave 17, row 6, block D.

Charlie R. Kelley, private, Battery F, Fifth Field Artillery, No. 34, grave 34, row 4, block A.

John Hokanson, private, Company A, First Engineers, No. 636, grave 3, row 21, block C.

Second Division

Lambert A. Wood, first lieutenant, Ninth Infantry, No. 608, grave 9, row 39, block D.

Calvin T. Funk, sergeant, Company L, Ninth Infantry, No. 1232, grave 15, row 46, block A.

Harry H. Stalnaker, private (first class), Headquarters Company, Ninth Infantry, No. 608, grave 28, row 26, block D.

Oscar Zimmerman, private, Company I, Ninth Infantry, No. 1233, grave 32, row 19, block C.

Alfred Christensen, private, Company K, Twenty-third Infantry, No. 1764, grave 57, row 9, block B.

Delbert Reeves, corporal, Company M, Twenty-third Infantry, No. 608, grave 5, row 20, block B.

Emery A. Bartlett, private, Twentieth Company, Fifth Regiment United States Marine Corps, No. 34, grave 21, row 15, block B.

Vearn William Young, corporal, Eighteenth Company, Fifth Regiment United States Marine Corps, No. 608, grave 6, row 22, block C.

Edmond Carll Bollack, private, Seventy-fourth Company, Sixth Regiment United States Marine Corps, No. 1232, grave 31, row 35, block D.

Joseph Charles Clark, private, Seventy-ninth Company, Sixth Regiment United States Marine Corps, No. 1764, grave 77, row 7, block A.

Rolla H. Frazer, sergeant, Seventy-eighth Company, Sixth Regiment United States Marine Corps, No. 1232, grave 34, row 33, block G.

Milton James Harper, private, Ninety-sixth Company, Sixth Regiment United States Marine Corps, No. 1232, grave 25, row 20, block F.

George Milner Snidow, private, Seventy-eighth Company, Sixth Regiment United States Marine Corps, No. 1233, grave 25, row 13, block D.

Ernest A. Eckerlen, private, Fifteenth Company, Sixth Machine Gun Battalion United States Marine Corps, No. 1232, grave 25, row 46, block D.

Third Division

Robert B. Berner, private, Battery E, Tenth Field Artillery, No. 608, grave 13, row 10, block B.

Fourth Division

Jim O'Connor, private, Company E, Forty-seventh Infantry, No. 608, grave 12, row 18, block B.

Guy R. Vaughn, private, Company I, Fifty-eighth Infantry, No. 1232, grave 14, row 46, block C.

Robert E. Clark, corporal, Company B, Fourth Engineers, No. 608, grave 18, row 9, block D.

Thomas E. Duncan, private (first class) Company E, Fourth Engineers, No. 1232, grave 30, row 14, block E.

Wilson H. Rothermel, private, Company A, Fourth Engineers, No. 608, grave 38, row 29, block B.

Thomas L. Freestone, chauffeur Supply Corps, Eighth Field Service Battalion, No. 1232, grave 18, row 2, block B.

Fifth Division

Jens J. Solhaug, corporal, Company I, Eleventh Infantry, No. 1232, grave 36, row 30, block C.

John H. Rickman, private (first class), Company G, Sixty-first Infantry, No. 1232, grave 18, row 25, block F.

Seventh Division

Raphal K. Hudson, sergeant, Company D, Twenty-first Machine Gun Battalion, No. 1233, grave 7, row 14, block D.

Eighth Division

Wilfred King, private, Company F, Eighth Infantry, No. 34, grave 8, row 6, block C.

Twenty-sixth Division

William P. Kooi, private (first class), Company C, One hundred and first Field Service Battalion, No. 1764, grave 71, row 13, block A.

Twenty-eighth Division

Melvin S. Iverson, private, Company D, One hundred and ninth Infantry, No. 1232, grave 26, row 8, block C.

Harry Melby, private, Company F, One hundred and ninth Infantry, No. 1233, grave 9, row 5, block A.

Bennie L. Mortenson, private, Company L, One hundred and ninth Infantry, No. 1232, grave 35, row 20, block H.

Lee G. Ray, private, Company B, One hundred and ninth Infantry, No. 1233, grave 4, row 6, block B.

Rufus E. Sell, private, Company D, One hundred and ninth Infantry, No. 1232, grave 9, row 18, block B.

Carl M. Bostrom, private, Company K, One hundred and tenth Infantry, No. 1232, grave 26, row 33, block H.

Love A. Conrad, private, Company E, One hundred and tenth Infantry, No. 1232, grave 36, row 25, block G.

Quincy A. Flinn, private, Company H, One hundred and tenth Infantry, No. 1232, grave 13, row 31, block D.

Walter Hoereth, private, Company C, One hundred and tenth Infantry, No. 1232, grave 5, row 16, block C.

Charles H. Jacques, private, Company C, One hundred and tenth Infantry, No. 1232, grave 32, row 17, block H.

Delbert Kelly, private, Company I, One hundred and tenth Infantry, No. 1232, grave 6, row 23, block B.

Addison M. W. Ball, private, Company L, One hundred and eleventh Infantry, No. 1232, grave 17, row 27, block E.

Paul E. Bucknum, private, Company L, One hundred and eleventh Infantry, No. 1233, grave 33, row 8, block B.

Emiddio De Rosa, private, Company I, One hundred and eleventh Infantry, No. 1233, grave 28, row 2, block B.

Fritz Erickson, private, Company M, One hundred and eleventh Infantry, No. 1232, grave 34, row 37, block D.

William R. Flint, private, Company K, One hundred and eleventh Infantry, No. 1233, grave 8, row 6, block C.

Elbert C. Johnson, private, Machine Gun Company, One hundred and eleventh Infantry, No. 1232, grave 25, row 33, block H.

Henry Leggat, private, Machine Gun Company, One hundred and eleventh Infantry No. 1232, grave 9, row 31, block G.

Gasper Lattanzi, private, Company L, One hundred and twelfth Infantry, No. 1232, grave 1, row 42, block F.

Conrad Leines, private, Company K, One hundred and twelfth Infantry, No. 1232, grave 7, row 14, block E.

Edward A. Matuska, private, Company H, One hundred and twelfth Infantry, No. 1232, grave 11, row 14, block G.

Rector Morgan, private, Company I, One hundred and twelfth Infantry, No. 1232, grave 12, row 39, block F.

John Stephenson, private, Company A, One hundred and twelfth Infantry, No. 1232, grave 21, row 30, block B.

Albert W. Tindale, private, Company B, One hundred and twelfth Infantry, No. 1232, grave 34, row 38, block B.

Thirty-second Division

Lester C. Reese, mechanician, Company B, One hundred and twenty-fifth Infantry, No. 1232, grave 19, row 8, block A.

Anibale Desantis, private, Company D, One hundred and twenty-sixth Infantry, No. 1232, grave 18, row 46, block C.

Herman J. Kolkana, private, Company K, One hundred and twenty-sixth Infantry, No. 608, grave 8, row 7, block C.

Ray U. Nicholson, private (first class), Company K, One hundred and twenty-sixth Infantry, No. 1232, grave 31, row 45, block B.

Mervin F. Hammond, private, Company B, One hundred and twenty-seventh Infantry, No. 608, grave 36, row 19, block B.

Ernest S. Moenkhouse, private (first class), Company B, One hundred and twenty-seventh Infantry, No. 1232, grave 5, row 19, block D.

Andrew D. Ottinger, private, Company A, One hundred and twenty-seventh Infantry, No. 608, grave 29, row 18, block B.

Frank J. Schur, Wagon Supply Company, One hundred and twenty-seventh Infantry, No. 1232, grave 22, row 43, block B.

Harold C. Skinner, private, Company A, One hundred and twenty-seventh Infantry, No. 1232, grave 32, row 21, block E.

Edwin A. Tanson, private, Company E, One hundred and twenty-seventh Infantry, No. 608, grave 23, row 14, block A.

Gust S. Toskan, private, Company E, One hundred and twenty-seventh Infantry, No. 1232, grave 22, row 34, block D.

Albert Uno, private, Company B, One hundred and twenty-seventh Infantry, No. 1233, grave 7, row 11, block A.

Preston M. Wright, private (first class), Company E, One hundred and twenty-seventh Infantry, No. 608, grave 1, row 17, block D.

Clifford Oscar Harris, second lieutenant, Company G, One hundred and twenty-eighth Infantry, No. 608, grave 2, row 37, block A.

Robert MacGregor, private, Company A, One hundred and twenty-eighth Infantry, No. 1233, grave 26, row 9, block B.

Fortieth Division

Raymond J. Cross, private, Company G, One hundred and fifty-eighth Infantry, No. 1233, grave 5, row 12, block A.

Ralph B. Rees, private, Headquarters Company, One hundred and fifty-eight Infantry, No. 1233, grave 33, row 4, block A.

Forty-first division

Kinsley C. Hendricks, private, Company I, One hundred and sixty-first Infantry, No. 1233, grave 22, row 27, block A.

Harry A. Savage, private, Company B, One hundred and sixty-first Infantry, No. 608, grave 11, row 21, block C.

Hiram I. Cole (alias) (correct name, Hugh Cole Alger), musician (first class), Headquarters Company, One hundred and sixty-second Infantry, No. 608, grave 7, row 35, block B.

Howard B. Dawson, private, Company G, One hundred and sixty-second Infantry, No. 34, grave 24, row 9, block B.

Walter E. Heinz, private, Company I, One hundred and sixty-second Infantry, No. 608, grave 11, row 28, block A.

Burt D. Leavens, corporal, Company H, One hundred and sixty-second Infantry, No. 636, grave 10, row 3, block A.

Walter L. Nelson, corporal, Company E, One hundred and sixty-second Infantry, No. 1233, grave 9, row 11, block B.

Edwin H. Olson, private, Machine Gun Company, One hundred and sixty-second Infantry, No. 107–E, grave 16, row 5, block C.

Paul Rich, private (first class), Company M, One hundred and sixty-second Infantry, No. 1233, grave 17, row 3, block C.

Thomas Scott, private, Headquarters Company, One hundred and sixty-second Infantry, No. 608, grave 6, row 21, block A.

Lawrence A. Witherspoon, private (first class), Machine Gun Company, One hundred and sixty-second Infantry, No. 608, grave 8, row 30, block A.

John Mekus, private (first class), Company M, One hundred and sixty-fourth Infantry, No. 1233, grave 20, row 18, block A.

Manuel Monese, private, Company B, One hundred and forty-seventh Machine Gun Battalion, No. 1233, grave 26, row 28, block A.

Benjamin R. Carlson, private, Battery E, One hundred and forty-sixth Field Artillery, No. 1764, grave 7, row 5, block A.

Chester W. Brown, sergeant, Battery B, One hundred and forty-seventh Field Artillery, No. 1232, grave 21, row 40, block B.

James C. Gardner, private (first class), Battery B, One hundred and forty-seventh Field Artillery, No. 34, grave 29, row 3, block A.

James E. Gardner, corporal, Battery B, One hundred and forty-seventh Field Artillery, No. 1232, grave 12, row 20, block A.

John H. McClurg, private (first class), Battery B, One hundred and forty-seventh Field Artillery, No. 1232, grave 13, row 28, block E.

Floyd R. Young, sergeant, Battery A, One hundred and forty-seventh Field Artillery, No. 1232, grave 13, row 38, block F.

Arthur J. Cronquist, first sergeant, Battery E, One hundred and forty-eighth Field Artillery, No. 608, grave 23, row 29, block B.

Homer R. McDaniel, sergeant, ordnance detachment, One hundred and forty-eighth Field Artillery, No. 1232, grave 18, row 2, block E.

Henry E. Wadsworth, private (first class), Headquarters Company, One hundred and forty-eighth Field Artillery, No. 34, grave 27, row 9, block A.

James M. Webster, private, Battery D, One hundred and forty-eighth Field Artillery, No. 608, grave 14, row 9, block D.

Forty-second Division

August C. Jorgenson, private, Company A, One hundred and sixty-fifth Infantry, No. 1232, grave 24, row 27, block D.

Seventy-seventh Division

Harry Blake, private, Company G, Three hundred and fifth Infantry, No. 1233, grave 31, row 19, block A.

Jesse B. Collamore, private, Company M, Three hundred and fifth Infantry, No. 1232, grave 38, row 16, block A.

Walter C. Crane, private, Company M, Three hundred and fifth Infantry, No. 1232, grave 10, row 32, block G.

Hans J. S. Hansen, private, Company M, Three hundred and fifth Infantry, No. 1232, grave 11, row 30, block E.

Harry A. King, private, Company M, Three hundred and fifth Infantry, No. 1232, grave 14, row 30, block A.

Herman Klein, private, Company M, Three hundred and fifth Infantry, No. 1232, grave 7, row 12, block F.

Paul A. Lorenz, private, Company I, Three hundred and Fifth Infantry, No. 1233, grave 13, row 8, block A.

Edward McIntyre, private, Company A, Three hundred and fifth Infantry, No. 1232, grave 27, row 20, block C.

Frank E. Miller, private (first class), Company D, Three hundred and fifth Infantry, No. 1232, grave 19, row 23, block H.

John M. Montano, private, Headquarters Company, Three hundred and fifth Infantry, No. 1232, grave 35, row 18, block D.

Sivlio Palandri, private, Company L, Three hundred and fifth Infantry, No. 1232, grave 27, row 7, block B.

William Vaughn, private (first class), Company I, Three hundred and fifth Infantry, No. 1232, grave 27, row 2, block A.

Robert R. Whitted, private, Company H, Three hundred and fifth Infantry, No. 1232, grave 38, row 13, block B.

Vincent Winniford, private, Company H, Three hundred and fifth Infantry, No. 1233, grave 16, row 18, block D.

Francis M. Yost, corporal, Company M, Three hundred and fifth Infantry, No. 1232, grave 23, row 31, block A.

Giuseppe Castiglione, private, Company B, Three hundred and sixth Infantry, No. 1232, grave 13, row 29, block B.

Henry Cooper, private, Company G, Three hundred and sixth Infantry, No. 1232, grave 14, row 22, block B.

Edward Morin, private, Company I, Three hundred and sixth Infantry, No. 1232, grave 2, row 13, block D.

Carl A. Anderson, private, Company K, Three hundred and seventh Infantry, No. 1233, grave 35, row 17, block B.

Jacob Kerber, private, Company F, Three hundred and seventh Infantry, No. 1232, grave 31, row 27, block F.

Henry G. Schwoch, private, Company H, Three hundred and seventh Infantry, No. 1232, grave 14, row 34, block F.

Harry C. Beeson, private, Company A, Three hundred and eighth Infantry, No. 1232, grave 14, row 13, block B.

Loranza Berg, private, Company A, Three hundred and eighth Infantry, No. 1232, grave 18, row 5, block H.

Peter Bue, private, Company D, Three hundred and eighth Infantry, No. 1232, grave 5, row 33, block F.

Paul A. Burson, private, Company A, Three hundred and eighth Infantry, No. 1232, grave 2, row 26, block F.

George A. Eastman, private, Company A, Three hundred and eighth Infantry, No. 1232, grave 18, row 41, block F.

Leonard C. Gitchell, private, Company H, Three hundred and eighth Infantry, No. 1232, grave 24, row 10, block B.

Bernard J. Lee, private, Company C, Three hundred and eighth Infantry, No. 1232, grave 30, row 10, block B.

Robert G. Little, private, Company H, Three hundred and eighth Infantry, No. 1232, grave 36, row 26, block A.

August W. Lundquist, private, Company D, Three hundred and eighth Infantry, No. 1232, grave 40, row 34, block F.

John C. Nielsen, private, Company E, Three hundred and eighth Infantry, No. 1232, grave 38, row 45, block A.

Ira L. Whitney, private, Company F, Three hundred and eighth Infantry, No. 1232, grave 13, row 31, block E.

Seventy-ninth Division

Eric R. Bradley, private, Company E, Three hundred and thirteenth Infantry, No. 1232, grave 28, row 12, block F.

Albert T. Tighe, private, Company D, Three hundred and thirteenth Infantry, No. 1232, grave 29, row 1, block A.

Eighty-first Division

Albert W. Edwards, private, Company H, Three hundred and twenty-second Infantry, No. 1232, grave 30, row 12, block H.

Nick Bruzzesee, private, Company C, Three hundred and twenty-third Infantry, No. 1233, grave 1, row 22, block D.

Ninety-first Division

Guy Eastman, private, Company H, Three hundred and sixty-first Infantry, No. 1232, grave 32, row 27, block B.

William W. Hayes, private, Company D, Three hundred and sixty-first Infantry, No. 1232, grave 26, row 28, block C.

Alex Henley, sergeant, Company M, Three hundred and sixty-first Infantry, No. 1252, grave 9, row 1, block B.

Niels H. Johansen, private, Company I, Three hundred and sixty-first Infantry, No. 1232, grave 9, row 39, block B.

George S. Johnson, private, Company C, Three hundred and sixty-first Infantry, No. 1232, grave 30, row 38, block H.

Edwin J. Kelly, private, Company C, Three hundred and sixty-first Infantry, No. 1232, grave 16, row 41, block D.

Anton L. Olson, corporal, Company L, Three hundred and sixty-first Infantry, No. 1232, grave 37, row 39, block A.

George H. Otte, private, Company M, Three hundred and sixty-first Infantry, No. 1232, grave 22, row 12, block E.

Christian Petersen, private, Company B, Three hundred and sixty-first Infantry, No. 1232, grave 12, row 19, block F.

Alfonso Riccuitti, private, Company M, Three hundred and sixty-first Infantry, No. 1232, grave 7, row 15, block A.

Byron C. Streeter, private (first class), Company A, Three hundred and sixty-first Infantry, No. 1232, grave 8, row 39, block C.

Frank O. Wigle, corporal, Company L, Three hundred and sixty-first Infantry, No. 1232, grave 18, row 13, block F.

Albert M. Closterman, first lieutenant, Company E, Three hundred and sixty-second Infantry, No. 1252, grave 4, row 3, block D.

Nicholas Panagos, private, Company L, Three hundred and sixty-second Infantry, No. 1232, grave 22, row 41, block H.

Jacob Smedina, private, Company M, Three hundred and sixty-second Infantry, No. 34, grave 7, row 6, block C.

Holden Vog, private (first class), Company G, Three hundred and sixty-second Infantry, No. 1232, grave 26, row 10, block E.

Charles H. Abercrombie, captain, Company M, Three hundred and sixty-third Infantry, No. 1232, grave 2, row 25, block E.

Benjamin W. Hiney, private (first class), Company A, Three hundred and sixty-third Infantry, No. 1232, grave 11, row 30, block C.

Joseph Kardes, sergeant (first class), Ambulance Company, Three hundred and sixty-third Infantry, No. 636, grave 10, row 9, block A.

John A. Maurer, private, Company H, Three hundred and sixty-third Infantry, No. 636, grave 8, row 1, block A.

Eldon P. Swank, bugler, Company F, Three hundred and sixty-third Infantry, No. 1233, grave 2, row 6, block A.

Walter Fleischhauer, private, Company E, Three hundred and sixty-fourth Infantry, No. 1232, grave 37, row 3, block E.

Basil A. Kirsch, private, Company L, Three hundred and sixty-fourth Infantry, No. 1252, grave 22, row 4, block C.

Albert Matson, private, Company I, Three hundred and sixty-fourth Infantry, No. 1232, grave 32, row 31, block B.

Fred W. Hummel, first lieutenant, Three hundred and forty-eighth Machine Gun Battalion, No. 1232, grave 5, row 22, block A.

Mike Wilgar, private, Company C, Three hundred and forty-eighth Machine Gun Battalion, No. 1232, grave 23, row 42, block G.

Turner Neil, sergeant, Three hundred and sixty-third Field Hospital, Three hundred and sixteenth Sanitary Train, No. 1233, grave 34, row 10, block A.

Nondivisional organizations

Walter A. Phillips, first lieutenant, First Airplane Squadron, No. 1232, grave 4, row 35, block C.

Benjamin E. Fisher, private, Seventeenth Aero Squadron, No. 636, grave 24, row 16, block C.

Othmar J. West, cook, Twenty-fifth Aero Squadron, No. 1233, grave 26, row 12, block C.

Ray J. Peters, corporal, Twenty-eighth Aero Squadron, No. 1232, grave 37, row 16, block E.

Hugh D. G. Broomfield, first lieutenant, Ninetieth Aero Squadron, No. 1232, grave 5, row 15, block F.

Carl G. Beck, private, Eight hundred and twenty-ninth Aero Squadron, No. 608, grave 32, row 28, block C.

Mark H. Middlekauf, first lieutenant, Third Aviation Instruction Center, No. 1233, grave 11, row 17, block B.

Williard E. Mode, sergeant, Casualty Company, Ninth Air Service, No. 1233, grave 16, row 8, block A.

Harvey T. Palmer, private, Battery C, Sixty-fifth Regiment, Coast Artillery Corps (to be interred).

Herbert G. Spencer, private, Battery E, Sixty-fifth Regiment, Coast Artillery Corps, No. 34, grave 33, row 11, block A.

Lloyd Whitmore, private, Battery A, Sixty-fifth Regiment, Coast Artillery Corps, No. 1233, grave 10, row 13, block B.

Lawrence L. McCauley, second lieutenant, Battery D, Sixth Anti-aircraft Battalion, Coast Artillery Corps, No. 107–E, grave 8, row 3, block D.

William E. Cooke, master gunner, Heavy Artillery School, Coast Artillery Corps, No. 608, grave 19, row 2, block D.

William H. Kloostra, private, Headquarters Detached Training Center, Coast Artillery Corps, No. 608, grave 4, row 21, block B.

Joseph W. Taylor, corporal, Sixth Casualty Company, Ordnance Department, No. 608, grave 29, row 37, block A.

David Johnston, private, Thirty-seventh Bordeaux Company, No. 34, grave 17, row 3, block A.

Joseph O. Gans, private, Company D, First Gas Regiment, No. 1232, grave 34, row 24, block D.

Forrest R. McCullough, private (first class), Second Company, Fourth Corps Battalion Replacement Division, No. 1232, grave 30, row 34, block A.

Charles R. Parkinson, first lieutenant, office Chief Signal Officer, Signal Corps, No. 608, grave 31, row 9, block C.

Henry G. Bates, private, Company D, Twentieth Engineers, No. 107–E, grave 11, row 4, block A.

Thomas R. Brown, private, Company E, Second Battalion, Twentieth Engineers, No. 608, grave 24, row 34, block B.

Lester C. Collins, private, Eighth Company, Twentieth Engineers, No. 34, grave 21, row 3, block B.

Walter Nagel, private, Company D, Twentieth Engineers, No. 34, grave 34, row 9, block A.

Edward F. Parker, private (first class), Sixteenth Company, Twentieth Engineers, No. 34, grave 33, row 2, block A.

George E. Parrish, private, Company B, Fifth Battalion, Twentieth Engineers, No. 608, grave 12, row 10, block D.

Percy A. Stevens, private, Company D, Twentieth Engineers, No. 107–E, grave 14, row 4, block A.

Henry F. Melody, private, Company H, Twenty-second Engineers, No. 1232, grave 20, row 18, block E.

Fred Cannon, corporal, Company A, Thirtieth Engineers, No. 608, grave 9, row 21, block B.

William I. Porter, fireman (second class), United States Navy, No. 608, grave 4, row 24, block A.

Thomas G. Pounstone, sergeant, Eighty-seventh Company, Transportation Corps, No. 1233, grave 10, row 5, block A.

Before the last shot of the World War was fired and its reverberating echoes became lost upon the interminable vertigo of space and while the world's attention still remained fixed on the battle fields of Europe a beautiful poem appeared. Its soul-stirring lines and classic verse penned by an officer of one of our allied armies, now sleeping, like many of his comrades, "where poppies grow" between the crosses, row on row, found an echoing response in every patriotic heart. Because its immortal words reflect the spirit and convey the challenge of countless brave men and women whose graves are located in the national cemeteries in Europe, I believe that it will be especially appropriate to read the poem of Colonel McCrea's in this connection:

In Flanders' fields, the poppies grow
Between the crosses, row on row,
That mark our place; and in the sky,
The larks, still bravely singing, fly,
Scarce heard amid the guns below.

We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie
In Flanders' fields.

Take up our quarrel with the foe!
To you, from failing hands, we throw
The torch. Be yours to lift it high!
If ye break faith with us who die
We shall not sleep, tho' poppies blow
In Flanders' fields.

—Lieut. Col. John McCrea.

Shortly after the conclusion of peace one of the sweetest singers in my State undertook to compose an answer to the inspiring words that I have just read. It was quoted at the first memorial service held in the public auditorium at Portland, Oreg., in honor of the Oregon men and women who made the supreme sacrifice during the World War. Because it attempts to express the sentiment which all of us feel whenever reference is made to our heroic dead, I ask your indulgence that it may be read again:

"We are the dead"—Oh, say not so,
Ye whose dear forms are lying low
Beneath the sod
In Flanders' fields "where poppies grow
Between the crosses, row on row."

In mansions fair by Him prepared
Whose Love Divine for men ye shared,
To follow in His footsteps dared,
Beyond where earthly sunsets glow
Ye live with God.

The comrades brave to whom ye threw
The torch, have to their trust been true;
Have routed far the ruthless foe,
And now, unharmed, the poppies blow
Above the bed
Where your dear clay is lying low;
And soaring lark and budding spring,
Each unto each is answering;
And as they soar and bud they sing
Ye are not dead.

In some fair land—we know not where—
The "House not made with hands" ye share;
So far—so near! But, oh, not there
Where crosses white your dear names bear
To mark the sod
Above your graves—somewhere, not there—
Ye live with God.

—Helen Eakin Starrett.

In obtaining unanimous consent to insert the list of those heroes of my State who lie "between the crosses, row on row," in the national cemeteries in Europe in the CONGRESSIONAL RECORD, I trust that I may say without offense to anyone that Oregon showed conspicuous patriotism in furnishing men and energy for carrying on the World War, and that it held a leading place among all the States in the Union for its promptness and effective discharge of every obligation and duty that was assigned to the States by the National Government.

Among the many things which made the patriotism of Oregon conspicuous during the great emergency I will merely mention the following: Oregon was the first State in the Nation to complete the difficult task of taking a war census; first to complete the machinery to put the selective service law into operation, and so conducted the work provided by the draft that not a hint of favoritism or irregularity in the accepting or excusing of men was ever made. Voluntary enlistments in the armed forces of the Nation followed the declaration of war so rapidly in Oregon that the State would have filled all her quotas without recourse to the selective service act had not the national policy decreed otherwise. The One hundred and sixty-second Infantry—formerly Third Oregon Infantry—was the first National Guard regiment mustered into service.

The fine quality of the fighting men that came from Oregon impressed themselves upon the commanders of the American

Expeditionary Forces in Europe. Their valor, dependability, and effectiveness in attack and under fire were frequently commented upon in official communications from commanders of troops in the fields. During the Battle of the Argonne alone more than 10,000 Oregon men were engaged along the American front in driving the Prussian forces from their last stronghold.

The list of the brave men submitted by the Quartermaster General, in compliance with my request, only tells a part of the extent of the participation and patriotic responses of the people of Oregon to the cause and demands made by it upon them. Approximately 1,029 young men sacrificed their lives; 1,100 were wounded in battle; 1,544 were discharged as disabled; and 355 received decorations from the American and other governments for valor and distinguished services in the war.

Approximately 45,000 Oregon men and women served in the armed forces of the Nation during the war. Of this number, 55 per cent were volunteers and 45 per cent were enlisted under the selective service act.

Any reference to the energetic devotion and splendid conduct which so characterized the men who filled the ranks of the Army, Navy, and Marine Corps from Oregon during the war would not be complete without a word or two about the record of those who, for one reason or another, were denied the privilege of sharing military service. Of these I will merely say that those who were forced to remain at home spent their time in keeping essential industries in operation and contributed unstintingly of money and materials to sustain the morale of the fighting forces.

The reports of the Treasury Department will show that every cash quota that the Government assigned to Oregon was quickly oversubscribed. The same thing was true in the matter of purchasing Liberty bonds and war-savings stamps. The virile patriotism and self-sacrificing services of a host of volunteer workers under intelligent, effective, and well-directed leadership carried on the work necessary to be done at home in order to support the fighting forces in the field and on the seas.

The following letter bears additional testimony to the service of my State:

HEADQUARTERS EIGHTY-SECOND INFANTRY BRIGADE,
Salem, Oreg., May 2, 1929.

Hon. FRANKLIN F. KORELL, M. C.,
House of Representatives, Washington, D. C.

DEAR MR. KORELL: In accordance with your telegraphic request of April 30, there is attached statement showing the number of persons from Oregon who entered the service during the World War, together with the other information requested.

In the event further information is desired, let me know.

Sincerely yours,

GEORGE A. WHITE,
Brigadier General.

Oregon was known as the "Volunteer State."

Oregon ranked first among all the States as to the percentage of enlistments, 90.11 per cent of the gross quota having enlisted. Oregon was called on to furnish only 717 men under the first draft.

Oregon's participation in the World War

Army	35,217
Navy	7,109
Marine Corps	1,511
Nurses	243
Yeomanettes	86
	44,166
Volunteered	24,386
Drafted	19,780
Wounded in action	1,100
Killed in action	367
Died from disease	577
Accidental deaths	85
Discharged as disabled	1,544
Cited or decorated (includes foreign decorations)	355

Subscription to Liberty loans

First	$13,311,850
Second	25,027,400
Third	28,291,700
Fourth	38,362,550
Fifth	28,409,350
	133,402,280

Oregon is proud of its record in the World War. It is proud of its citizens and soldiers; their contributions and sacrifices in the Nation's cause have written history and served humanity. To-day and always my State will revere the memory of its brave men and women. Like a gold star mother it grieves at the loss of its many sons and daughters. In its grief, however, it feels no pang of disappointment or tinge of regret. Instead, it experiences a sensation akin to a thrill of exhilaration, a call to nobler ideals, a summons to loftier patriotism, and a high resolve that those who have gone on shall not have died in vain. In spirit as well as in thought the people of Oregon will follow the footsteps of those who shall make the pilgrimage. They will kneel in silent reverence at the graves of Oregon sons and daughters in the national cemeteries in Europe. They will join with the Members of Congress in wishing for all who are invited to make the journey made possible by the provisions of Public Law No. 952, a measure of consolation in the beautiful thought so eloquently expressed in the following exquisite poem, written by Armistead C. Gordon, of Staunton, Va.:

Here in the bronze their changeless names are wrought,
Who in youth's morning hour beheld the shore
Of time fade from their sight, and from their thought
Pass all the dreams and raptures that life bore.
We read the legend with a questioning wonder
At the inscrutable mystery and say,
Grieving that death their forms from ours should sunder:
"They died before their day."

Not so. He did not give us pain for friend,
Nor gave us death for hope of life, in vain.
Though they be dead, yet death is not the end.
Who die for home and country live again,
Here and hereafter. At the call of duty
They fell on sleep, forsaking this poor clay,
And now they flourish in immortal beauty
Who died before their day.

They are forever young. Nor care nor age
Can ever mar their loveliness and youth.
Their story blazoned on the whitest page
Of life's unfinished volume reads: "For truth
And love and faith and honor, nobly cherished,
They gave their all. Who shall their fate gainsay?
They drank life to the lees, thus to have perished
And died before their day."

They do not need our sorrow. Grief and tears
Are rather for the living than the dead.
They are inheritors of eternal years;
We are the children of decay and dread,
Soldiers of God, beautiful like archangels,
Fighters for God and country—let us pray
The lives, the deaths of these be our evangels,
Who died before their day.

THE TARIFF

Mr. BEERS. Mr. Speaker, I offer a privileged resolution from the Committee on Printing.

The SPEAKER. The gentleman from Pennsylvania offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Concurrent Resolution 4

Resolved by the House of Representatives (the Senate concurring), That the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes, as reported to the House of Representatives, together with the written report submitted therewith, be printed as a House document, and that 15,000 additional copies be printed, of which 5,000 shall be for the use of the Senate document room, 8,000 copies for the use of the House document room, 1,000 copies for the use of the Committee on Ways and Means of the House, and 500 copies for the use of the Committee on Finance of the Senate.

With the following committee amendment:

Strike out all after the resolving clause and insert the following:

"That the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, as reported from the Committee on Ways and Means to the House of Representatives on May 9, 1929, together with the text of the committee report, be printed as a House document with the bill matter showing the existing tariff law in roman type; the part proposed to be omitted inclosed in brackets, and the new legislation recommended by the committee in italic type, and that 18,500 additional copies of the publication be printed, of which 12,000 shall be for the use of the House document room, 5,000 for the Senate document room, 1,000 for the Committee on Ways and Means of the House, and 500 copies for the Committee on Finance of the Senate."

The committee amendment was agreed to.

The resolution as amended was agreed to.

Mr. HAWLEY, chairman of the Committee on Ways and Means, by direction of the committee, submitted a report on the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United

States, to protect American labor, and for other purposes, which, with the accompany papers, was referred to the Union Calendar and ordered printed.

Mr. GARNER reserved all points of order.

PROHIBITION

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from Georgia [Mr. BRAND] for 30 minutes. [Applause.]

Mr. BRAND of Georgia. Mr. Speaker and gentlemen of the House, since Policeman Rouse, who killed Mr. Fleming, an alleged bootlegger, has been acquitted by a grand jury of the District of Columbia, it may appear to some that a further discussion of this homicide is unnecessary and probably unseemly. I do not think so. This is not a moot question. There is a dead man in this case and a live issue involved and unsettled, and it will remain open until it is settled right.

It is true that young Fleming rests in the city of the dead and is sleeping the eternal sleep on a hillside near his mother's home in old Virginia, yet the man who put him there is walking the streets of Washington a free man.

I contend now, as I contended on April 26, when I unexpectedly got into this debate, that this killing within the meaning of the law is murder [applause], though a jury upon the trial of such a case may be authorized to find him guilty of either voluntary manslaughter or involuntary manslaughter; and here is the crux of the case.

I also contend that the rule of law invoked—that an arresting officer has the right to kill a felon if necessary in order to capture him—does not apply to the facts of this case. What is the law under the facts of this homicide?

I give it to you as my mature judgment, without intending to offend those entertaining contrary views, that no policeman or other arresting officer has the right to kill a person for violating the prohibition law except in self-defense.

In dealing with this question I submit that when the prohibition amendment was adopted and the Volstead Act passed Members of Congress never thought for an instant that arresting officers were authorized by law to kill a person charged with violating the prohibition law in order to arrest him.

A violation of the prohibition law does not involve moral turpitude within the meaning of the law. An offense against the prohibition law belongs to that class of offenses known as prohibita mala; that is, man-made laws or wrongs and offenses made such by statute and prohibited by statute, and is not in the class of offenses denominated mala in se.

Mr. WRIGHT. Will the gentleman yield?

Mr. BRAND of Georgia. Yes.

Mr. WRIGHT. Does not the gentleman mean mala prohibita?

Mr. BRAND of Georgia. It is put both ways in some of the law dictionaries.

An offense against the prohibition law is not in that class of offenses which the law defines to be mala in se, which are wrongs in themselves, acts morally wrong, offenses against conscience, all of which involve moral turpitude, such as murder, safe blowing, rape, seduction, and highway robbery.

The killing on the part of an arresting officer of one charged with a felony, except in self-defense, is never justifiable homicide under the law, unless the offense is a capital felony or a felony approaching a capital felony, such as an offense that is atrocious, exceedingly wicked, violent, heinous, and horrible; a prohibition violation is not in any one of these classes.

All felonies at common law were capital. This is where this rule of law authorizing an officer to kill a felon in order to capture him found its origin. It was a part of the common law. The courts of the States in this country, which have not by constitution or statutory law changed the common law in this respect, still recognize this rule, but a distinction has been clearly made that in no character of a felony case should human life be taken by an arresting officer in order to capture a prisoner if any other mode or manner of capture could have been adopted.

I contend now that the rule of law making a killing under certain circumstances justifiable is based upon the fact that all felonies at common law were capital felonies, but this rule does not apply to felonies made so by statute not atrocious in their character and not involving moral turpitude. Therefore while an officer may use such force as is necessary to capture one charged with a felony, unless it is a capital felony or one approaching a capital felony or one that is atrocious in its nature, he has no right to take human life in order to effect an arrest, except in self-defense.

To hold otherwise would imperil not only the right of personal liberty but also the sacredness of human life and the lives of innocent citizens of all ages, races, and sexes as they come and go in pursuit of the avocation of their lives. Those who condone such killing have gotten far away from the original law of the land.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

This is a paragraph in the constitution of the State of Georgia.

This provision of our Constitution is but an expression of the common law which obtains in every State of the Union unless changed by the constitution or statutory law of the State. (Constitution of the United States, sec. 6693.)

Felony, in the general acceptation of our English law, comprises every species of crime which occasioned at common law the forfeiture of lands and goods. This most frequently happens in those crimes for which a capital punishment either is or was liable to be inflicted. (Blackstone, 4th vol., sec. 94.)

The idea of felony is, indeed, so generally connected with that of capital punishment that we find it hard to separate them; and to this usage the interpretations of the law do now conform. And therefore, if a statute makes any new offense felony, the law implied that it shall be punished with death. * * * the general idea which we now entertain of felony as a crime to be punished by death. (Blackstone, 4th vol., sec. 98.)

Blackstone wrote, about 1769, that a crime might be prevented by death if the same, if committed, would be punished by death. But this rule does not now hold good, because at that time all felonies were punishable by death, whereas now but few are so punishable. (Voorhees on Arrest, sec. 184. Blackstone's rule not reliable.)

The law deprecates the necessity of killing a human being in the act of making an arrest and will not allow the party making the arrest to shield himself behind a technicality of law.

In fact, with the advancement of legal attainments and general enlightenment of society, the occasions where the taking of human life may be justified by one enforcing legal arrest are becoming fewer. (Voorhees on Arrest, sec. 183.)

But it is his duty to use no unnecessary harshness or violence; and if he use more force than is necessary, he himself becomes liable in trespass, and in case of taking life may be guilty of manslaughter, or even murder, according to the degree of wantonness and recklessness of human life manifested in the homicide. (Sec. 186.)

It has been wisely held that this doctrine does not apply to all felonies, but only to those of a more atrocious kind, as rape and murder; therefore it was held that one was not justified in shooting to prevent the escape of one who had stolen a hog. (Sec. 187.)

FLEEING FROM ARREST

There is a broad distinction between resisting arrest and the avoidance of it; between forcible opposition to arrest and merely fleeing from it.

Even in case of one charged with murder, so long as the one sought to be arrested was content peaceably to avoid arrest, the pursuing party had no right to kill him. (Sec. 189.)

In the case of McAllister *v.* The State (7 Ga. Appeals, p. 541), par. 5) Chief Justice Russell, delivering the opinion, says:

The court did not err in charging that an officer has no right to follow up one whom he seeks to arrest, and attempt to shoot or kill him, if the person sought to be arrested is making no effort to resist arrest, but is only attempting to avoid it by flight.

This is a felony case.

The general rule is:

An officer in making an arrest without a warrant upon suspicion of felony is not justified in killing the person in order to effect an arrest, except in self-defense no matter how reasonable his grounds of suspicion may be, unless a felony has actually been committed. (Corpus Juris, p. 425, sec. 61.)

What duty does the law impose upon an arresting officer before he fires the fatal shot?

In arresting for a felony a peace officer, acting without a warrant, may, if necessary, kill a felon if he resists or flees so that he can not otherwise be taken; but the law does not clothe an officer with the authority arbitrarily to judge of the necessity of killing. (Corpus Juris, p. 425, sec. 60.)

In other words, the necessity is the controlling element, whether it be expressed in one form or another. This is not a case where the officer has the right to act merely on his own behalf. The law does not clothe him with authority to judge arbitrarily of the necessity, and whether or not such necessity exists is a question for the jury. (163 Ky. 277; 173 S. W. 759.)

At common law the rule is that if a felony has been committed and the felon flees from justice, it is the duty of every man to use his best endeavors to prevent an escape; and if on the pursuit the felon is killed where he can not be otherwise taken, the homicide is justifiable, but if it is possible to apprehend the offender without such drastic steps the homicide is not justified

and it amounts at least to manslaughter. Yet it is only when there is no other reasonably apparent method for effecting the arrest or preventing the escape of the felon that an officer may, if he has performed his duty in other respects, take the life of the offender. The law which gives the officer the right to kill an escaping felon limits the right to cases in which the officer actually knows that the person whom he is seeking to arrest is a felon.

Although a person has actually committed a felony, this fact alone will not justify an officer in shooting at him with intent to kill him or do him grievous bodily harm in order to arrest him, unless the officer himself knew the essential facts at the time he fired. (Ruling Case Law, vol. 2, sec. 29.)

The officer did not know the deceased had committed a prohibition felony; he only had a suspicion about it. The only felony that he knew about was the smoke-screen felony. He did not shoot at this young boy and kill him on account of his using a smoke screen, but he did it because he was alleged to have violated the prohibition law.

Mr. CLARKE of New York. Will the gentleman permit a question?

Mr. BRAND of Georgia. I will.

Mr. CLARKE of New York. There was no smoke screen involved when Senator GREENE was shot by an enforcement officer, was there?

Mr. BRAND of Georgia. No. And there was no smoke screen involved when a nun on the street to the left of and paralleling Pennsylvania Avenue was shot and killed by the arresting officer pursuing some colored men charged with violating the prohibition law.

Mr. KVALE. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. KVALE. And neither was there a smoke screen involved in the killing of the man yesterday, as stated in the morning papers.

Mr. BRAND of Georgia. No. There were three boys in a car when one of them was killed, and I suppose if the grand jury of the District of Columbia has anything to do about it the officer killing one of these boys will also be acquitted.

In this instance J. W. Kendrick, a 17-year-old student of Emory and Henry College, was shot during an auto chase. There were three students in the car. The officers say the boys did not stop when ordered, and claim that they shot at the tires of the auto in front of them. The two students who were in the car with the deceased said they did not hear any orders to stop, and that they did not have any whisky in the car, and claim that "they were going for a ride." Young Kendrick was shot through the back of the head, as Fleming was, from which he died. I suppose that if the officers of the District of Columbia have anything to do about it, that these officers will also be acquitted.

I am gratified to know that the statements of the law which I made when I became a party to the colloquy with the gentleman from Illinois [Mr. HOLADAY] are supported by the law of the land, as a comparison of what I said at the time referred to and the authorities I now cite will demonstrate.

In an Illinois case the court says:

> An officer, generally, may use a deadly weapon, even to the extent of taking human life, if necessary to effect the arrest of a felon, for the reason that the safety of the public is endangered while such felon is at large; but the rule, by the great weight of authority both in this country and in England, is, that except in self-defense an officer may not use a deadly weapon, whether his purpose is to kill or merely to stop the other's flight.

It was held in an Arizona case—

> Where an officer, in attempting to arrest a driver, shot at a tire to disable the automobile and killed the driver, even though the killing was unintentional, the act of shooting being unlawful, the officer committed the offense of involuntary manslaughter.

In Fifth Corpus Juris:

> Most of the acts graded as misdemeanors have no element of moral turpitude, and are offenses simply because the public policy, through the law-making body, has so decreed. But even when the act is malum in se, and is graded as a misdemeanor, it is not thought to deserve death at the hands of an arresting officer simply because the offender seeks to avoid arrest by running away. When the offense is bad simply because prohibited, much less should the officer assume to take the offender's life if he disregards orders and fails to stop when commanded to do so, but keeps on going. But, whether such offenders are ever arrested or not, no peace officer has any right to shoot them because they do not halt when told to do so.

Without expressing any opinion as to the facts of this case, or the guilt or innocence of the accused, it is my firm conviction that an arresting officer who takes human life, except in self-defense, without a warrant and having no personal knowledge of the deceased having committed an offense against the prohibition law, is guilty in the eyes of the law either of murder or voluntary or involuntary manslaughter.

Malice, either expressed or implied, is a necessary element of murder. However, when a homicide is proved, that is a killing of a human being, the law presumes malice, and unless the evidence on the trial of the case should relieve the slayer he should be found guilty of murder.

And that has been the rule of law since all commentators on the common law wrote their books.

When one uses a deadly weapon in a manner likely to produce death, and death ensues, the law presumes the person using such weapon intended to kill. This presumption does not obtain when death does not ensue. If this officer were on trial before a jury in this District, and the prosecuting attorney proves that he had a pistol and shot at or toward this boy recklessly and in disregard of human life and further proves that one of these shots produced a mortal wound causing death, the law presumes that the officer shot with intent to kill and therefore would be guilty of the offense of murder.

In the present case it is not denied that the policeman used a pistol, which is a deadly weapon, and fired it five times in the direction of the deceased, shooting at him when he was running away and with his back toward the policeman. The last shot took effect in the back of his head which produced instant death. At the time of this shooting the deceased was making no resistance to the officer in the meaning of the law. He was making no assault of any character upon the officer when the fatal shot was fired. Outside of the use of the smoke screen he committed no felony offense to the knowledge of the policeman. He had no warrant for his arrest, and so far as it appears no warrant had ever been issued against him. The policeman had no personal knowledge that he was an offender against the prohibition law and at the time he killed the deceased he did not know that he had any whisky in his car. And yet, notwithstanding all this, he shot like one shooting in the dark. At least he shot five times in a crowded street where people were on all sides and in front of the car.

Mr. HOLADAY. Mr. Speaker, will the gentleman yield?

Mr. BRAND of Georgia. Yes.

Mr. HOLADAY. I think the gentleman is considerably wrong in his statements there.

Mr. BRAND of Georgia. In what respect?

Mr. HOLADAY. The officer knew that he had liquor in the car.

Mr. BRAND of Georgia. How did he know it?

Mr. HOLADAY. There were 400 gallons piled there that he could see.

Mr. BRAND of Georgia. That he could see in the car?

Mr. HOLADAY. I should say 400 quarts. Yes; that he could see in the car.

Mr. BRAND of Georgia. Well, if he could have seen this whisky in the car, how, in the name of common sense, did the smoke-screen operation prevent him from seeing the boy in the car? If the smoke screen did not keep him from seeing the whisky, how did it keep him from seeing the boy? If he could have done so, what did he shoot and kill him for? Mr. HOLADAY must be mistaken about this, because the occupants of the car would not likely have been exposing so much whisky in such an open and conspicuous manner.

Mr. HOLADAY. Let us forget the liquor for a moment.

Mr. BRAND of Georgia. Oh, no; you must not forget that. This is a liquor case. [Applause and laughter.]

Mr. HOLADAY. I am willing to forget that for just a moment.

Mr. BRAND of Georgia. Very well, then, forget it.

Mr. HOLADAY. The man fleeing committed a felony. The law made it a felony. Fleeing from arrest, the man committed another felony. He assaulted the officer.

Mr. BRAND of Georgia. How?

Mr. HOLADAY. He used a smoke screen, and the following night the man who was with the police officer was assaulted again with a smoke screen, and he was wrecked and he was thrown off the railing of a bridge, and he hung there, 50 feet above the ground.

Mr. BRAND of Georgia. Oh, that is not material to this case at all. The gentleman from Illinois made a speech about this, and it was a good speech, and it was made in good faith, but it is strange that the cases he refers to all occur in or near the eleventh precinct. Why should these smoke-screen violators disturb eleventh precinct so much? It seems that all of the smoke-screen bootleggers have their habitat in and around the eleventh precinct.

Mr. HOLADAY. If the gentleman wants to know, I can tell him why that is.

The SPEAKER pro tempore (Mr. ACKERMAN). Does the gentleman yield?

Mr. BRAND of Georgia. If my time may be extended, I will. I have almost consumed my time.

Mr. HOLADAY. Mr. Speaker, will the gentleman yield?

Mr. BRAND of Georgia. I am sure that I can not get more time.

Mr. HOLADAY. I can give the gentleman information.

Mr. BRAND of Georgia. Is it information about the facts or about the law?

Mr. HOLADAY. About the facts. I would not assume to undertake to give the gentleman any information about the law.

Mr. BRAND of Georgia. Oh, the gentleman is a good lawyer. The point I made a while ago was that this policeman did not know that there was any whisky in that car until after he killed Fleming, and yet the gentleman says the policeman now claims that there were 400 quarts in the car and that he saw it prior to firing the fatal shot.

Mr. CLARKE of New York. Does the gentleman from Georgia believe that a man could go through the streets of Washington with 400 gallons of liquor in his car without the whole populace being after him? [Laughter.]

Mr. BRAND of Georgia. No. I do not disagree with the gentleman about that. Part of the populace would have trailed after the car, I am sure.

Mr. COX. Mr. Speaker, I take it that nobody is so ignorant of the law or so insensible to the dictates of humanity as to contend under the circumstances as detailed on the floor of this House that this policeman in this instance was armed with the legal right to take life. I assume that the policeman contends, and has all the while contended——

Mr. BRAND of Georgia. If the gentleman from Georgia will pardon me, I fear that he will take up too much of my time.

Mr. COX. I merely wanted to state the rule of law on this question, supporting the contention the gentleman has made.

Mr. BRAND of Georgia. I am trying to give the House what I think is the correct rule of law. I know that the gentleman from Georgia [Mr. Cox] is a good lawyer. I want to answer the question he propounded, namely, Does the gentleman think the policeman intended to kill the boy when he shot? That is not material, because, as the gentleman knows, the courts of his own State and my State have distinctly held that when one shoots into a crowd, not intending to kill any particular person but recklessly of human life, and kills one of the crowd, he is guilty of murder.

If these statements are the facts of the case, the policeman having used a deadly weapon and in a manner to produce death, and death having ensued, under the law of the ages such killing upon its face is murder.

The killing of an offender of the prohibition law under such circumstances, if declared to be justifiable homicide, or if approved by Congress as such, is establishing a dangerous doctrine, and in my opinion would result in fatal consequences, not only to arresting officers of this country but would prove to be a destructive blow to the prohibition laws of this Republic. This would be declaring, in effect, that an arresting officer himself has the authority to decide what he should do in endeavoring to arrest an offender against the prohibition law, and what force he should adopt in order to effect the arrest of an offender who is trying to escape. In other words, this would be putting the arresting officer in the attitude of judge, jury, and witness, and giving him, and him alone, the authority to decide the question of taking human life in order to make an arrest. The officer would thus not only become judge in passing upon the law of the case, but a jury passing upon the facts of the case, with the officer as such judge and jury passing upon the credibility of his own testimony. [Applause.]

This is a monstrous situation, and I hope that Congress will never for a minute be so unthoughtful and so inhuman as to condone or approve in any form such an unwise and vicious proposition. [Applause.]

Mr. COX. Mr. Speaker, will the gentleman yield there?

Mr. BRAND of Georgia. Yes.

Mr. COX. I agree with the gentleman in the main in his general statement of the law. But I think nobody would contend that the policeman in this case intended to kill the fugitive or that the killing was intentional. He was firing at the car for the purpose of keeping the course clear in order to effectuate an arrest, not that he was pursuing him for the purpose of taking his life. Therefore would not the question of the guilt of the policeman turn upon the question whether death was the natural consequence of the act; that is, of firing at the wheels of the car for the purpose of stopping the car?

Mr. BRAND of Georgia. I did not yield to the gentleman for the purpose of permitting him to give his opinion of the law. I have asked and obtained this time for the purpose of giving to Congress and the country my opinion of the law. [Applause.]

It would be far more advisable for Congress to enact a law making it a capital offense to manufacture, sell, or use a smoke screen, in which event if an officer is forced to kill one charged with a violation of the prohibition law in order to effect his arrest, which I think would be a calamity, such killing would then be justifiable homicide, but unless and until this is done, it would be a rape of the law and a flagrant miscarriage of justice to justify or excuse an officer for killing a prohibition violator in order to effect his arrest except, of course, when done in self-defense. [Applause.]

ANNOUNCEMENT

Mr. CLARKE of New York. Mr. Speaker, I would like to make an announcement if I may. I did not send out earlier the notice for the Republican conference to be held at 3 o'clock to-morrow afternoon because I did not get the notice until 5 o'clock last evening. I make this announcement in order that the Members will be informed of the situation.

LAW ENFORCEMENT

Mr. LAGUARDIA. Mr. Speaker, I now renew my request for unanimous consent to expunge from the RECORD, on page 612 of the RECORD of April 26, 1929, the word "Applause" following the words—

He fired five shots at the left rear wheel. Four of those shots hit the car within a radius of 8 inches and the fifth shot in line, from a vertical standpoint, but 2 or 3 feet higher than the other four shots, passed through the back of the car, struck the driver in the back of the head, and killed him.

Mr. CAREW. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. CAREW. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAREW. Mr. Speaker, I would like to make a parliamentary inquiry. Is there any way by which objection can be made, to stand in the RECORD, to stand against the repeated requests that the gentleman from New York has made and which have been objected to several times to expunge this "Applause" from the RECORD?

Mr. LAGUARDIA. Perhaps if my friend from New York would attend every day he could object every day. [Laughter.]

Mr. CAREW. It is hardly worth while for the gentleman from New York to attend the sessions every day in order to hear the remarks of the gentleman from New York [Mr. LAGUARDIA]. That would be a sacrifice that would be altogether too great to be demanded. [Laughter.]

Mr. Speaker, may I renew my parliamentary inquiry if there is any way open to me to put into the RECORD an objection to that request that would stand? [Laughter.]

The SPEAKER. Of course, if the question be whether the Chair would continue to recognize the gentleman from New York [Mr. LAGUARDIA] to make that request, that would be entirely within the discretion of the Chair. The Chair has recognized him three different times for that purpose, and thinks he will not recognize him any more. [Applause.]

THE TARIFF BILL

Mr. HAWLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes; and pending that motion, I ask unanimous consent that for the present the time be equally divided between the gentleman from Texas [Mr. GARNER] and myself.

The SPEAKER. The Chair will state the motion first. The gentleman from Oregon moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2667. Pending the motion of the gentleman from Oregon, he asks unanimous consent that the time for general debate be divided between himself and the gentleman from Texas.

Mr. GARNER. Mr. Speaker, I do not intend to object; but I want to reserve the right to object for the purpose of asking a question. I do not presume the gentleman from Oregon can now state about how long general debate will run?

Mr. HAWLEY. I am not able to do it.

Mr. GARNER. I presume after your conference to-morrow afternoon you will be able to make a statement of the program with reference to this proposition.

Mr. HAWLEY. I suppose the majority leader will be able to make a statement. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Oregon that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2667.

The motion was agreed to.

The SPEAKER. The gentleman from New York [Mr. SNELL] will kindly take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2667, with Mr. SNELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. R. 2667, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The gentleman from Oregon is recognized for one hour. [Applause.]

Mr. HAWLEY. Mr. Chairman and gentlemen of the committee, for a number of years the Members of the House have been in receipt of letters asking for modifications of the existing tariff act, and also a number of bills have been introduced from time to time and referred to the Ways and Means Committee asking that that committee report bills modifying certain schedules. It has not been thought advisable to attempt a piecemeal readjustment of an act as complicated as the tariff act, so that last year, when it appeared that there was, after a long discussion of the agricultural question, sufficient ground for many revisions of the agricultural schedule, and when after an industrial survey it was found there were many industries in the United States, worthy and deserving of recognition in a protective tariff to a greater degree than they now have, or where they have none in the present law, it was agreed there should be a readjustment of the tariff.

Both of the great political parties in their platforms made mention of that, and upon the reconvening of the Seventieth Congress your Ways and Means Committee as a committee resolved upon such readjustment of the various schedules in the tariff as the facts and evidence would warrant.

The country gave emphatic indorsement to this program by electing the candidate of the party that has always been the protectionist party to the Presidency by a great vote, and by electing an increased majority of the Republican Party in this House.

The entire membership of the Ways and Means Committee sat for some 45 days and heard witnesses from all parts of the country. Some 1,100 persons appeared in person and about 300 filed briefs but did not enter a personal appearance and 11,000 pages of testimony were taken. After the hearings were completed the Republican members of the committee, in accordance with time-honored custom, began the work of revising the schedules. Every Republican member was assigned as chairman of a subcommittee and given the particular responsibility for the initial preparation of a given schedule. Two others, who also had a schedule assigned to each of them, were associated with each such chairman. The subcommittees gave very careful attention to the work on the several schedules. Each subcommittee read with great care the hearings and the briefs on the schedules for which they were responsible. The Tariff Commission had representatives at the hearings who heard all the evidence and who afterwards carefully made an examination and analysis of the evidence and briefed it for the use of the subcommittees. We make acknowledgment of the very important and invaluable service rendered to us by the Tariff Commission in aiding us to obtain information and in solving many problems that were to be solved only by an investigation in the field and in some of the departments. We also received very great aid from the Departments of the Treasury, Agriculture, Justice, Commerce, and Labor, and from the officers who administer the customs. After the subcommittees, with all of this aid, had prepared tentative schedules, the 15 Republican members met to hear the report of the work of the subcommittees. The subcommittees were cross-examined with great diligence, not only once but twice and sometimes three times, so that not only were the subcommittees in charge of the schedules well informed of the facts concerning their schedules but they had to justify the rates they had proposed to the other Republican members.

We began on this basis: That there is a difference between competitive conditions in this country and abroad, and the readjustments found in the bill are based upon that foundation—the differences in competitive conditions at home and abroad.

It was proposed by a few that the revisions be confined to the agricultural schedule. That would not have satisfied the Congress or the country, for the reason that we believe the equal protection of the law should be extended to everybody and every industry, no matter in what particular business engaged. For this reason all the schedules were examined. At the beginning it was estimated that probably 15 per cent of the items in the tariff would be modified. So far as it has been possible to ascertain by count and investigation some 15 or 20 per cent of the items on the list are modified. In some instances a paragraph is modified only in one or two items. It may have a great many items in it and only one or two be selected for modification because they were the only ones in that paragraph which would justify any change in the rates, according to the facts and information.

Mr. HULL of Tennessee. Will the gentleman yield?

Mr. HAWLEY. I would request that I be allowed to conclude my statement before answering questions.

Further, on that particular point, out of the 706 paragraphs in the schedules, 444 were not touched at all and 262 had modifications made in them; but some, as I have already stated, only in a very minor degree. However, the real test of the extent of the modifications is on the items, and, as I have already stated, only between 15 and 20 per cent of the items are affected. So we have called this a readjustment for the purpose of bringing protection to those industries which are not now sufficiently protected on a par, so far as their needs are concerned, with those industries that are sufficiently protected.

The tariff act of 1922, changing from a free-trade basis to a protection basis, has rendered this country most excellent service. It almost at once reestablished confidence. It promoted agriculture. It extended industry, and has proven a great boon to labor. It has created an era of unprecedented prosperity. The seven years that have elapsed since the act was passed have been the most fruitful in economic, industrial, business, and other developments in the history of the world. A very large number of new products, entirely new, have been made and put on the market. The rates in the present law are proving too low in a number of instances. New and important competitors have entered the field. Many products are being made in new forms which do not correspond to present descriptions in the tariff schedule.

The schedule on rayon is an illustration. In order to properly provide for this industry it was found necessary to include an entirely separate schedule and to provide duties in accordance with the particular needs of that industry.

In 444 of the paragraphs of the Fordney bill no reason has been found for modifying them whatever, in the remainder reason has been found for modifying some of them. The readjustments were granted only when the evidence submitted at the hearings and in the briefs, verified by the various official departments of the Government, and after careful investigations by the subcommittee and the 15 Republican members was sufficient to warrant the readjustment.

This meant long and tedious investigation in order to determine what the facts were, what the status of any industry was, and what were the conditions of competition from abroad with which it had to compete.

It has been frequently urged that there should be a parity in the ad valorems in the several schedules. It has been urged that the agricultural schedule had an ad valorem rate much below that of other schedules.

The statisticians of the Department of Agriculture at my request went into this at great length. Agriculture is entitled to a full measure of protection. It should be granted that protection on the basis of the merits of each case and not on the general theory that a certain percentage ad valorem was the proper solution of the problem.

In the case of agricultural products, including unmanufactured wool, unmanufactured tobacco, and sugar, and excluding fish, which is included in the agricultural schedule, the average rate of ad valorem protection on dutiable items in that schedule is 41.72 per cent. The average rate on all other schedules is 36.6 per cent; that is, the Fordney Act, the tariff of 1922, gave to agriculture a measure of protection. It may have been it was too low. We have assumed that it was in the bill we are reporting and have advanced the rate in accordance with the necessities of the cases, but the question is, Is there any virtue in saying that a certain ad valorem rate must be selected as the proper one for purposes of protection?

We have proceeded on the theory that that duty should be given which the facts warrant, no matter in what schedule it is. If a certain fixed ad valorem rate is the right theory, irrespective

of the actual rates necessary to provide proper protection as determined by the facts and conditions of competitor, then it would be necessary to modify every schedule, because in every schedule the ad valorem rates vary materially; and if the theory is sound, ad valorems should be adjusted between the items as well as the schedules by making them uniform.

So we adopted the plan of justifying our work by the facts and the conditions of the industry.

The question has been raised also as to the effectiveness of duties. This has a very important bearing upon any tariff law.

Duties are effective against imports in the amount of the declared values as verified by appraisals. We have a great deal of trouble in the customs in ascertaining what are the real values of imported goods from the standpoint of their foreign costs. As you may have heard, one great nation has excluded our commercial agencies from obtaining any information on this subject at all.

Other nations are looking askance at our inquiries, and some are declining to give us any information.

I think it can be safely said that the production costs of imported goods equals only about one-third of the American costs.

So that, from the standpoint of the American costs of production, although the duty against foreign imports is effective to the extent of their appraised value, it is only effective as to one-third of their production costs in this country. On the American product, the effectiveness of a duty varies with the market. It varies from season to season and sometimes from month to month. Every variation in the price of a commodity affects the effectiveness of the duty. We have had, in recent years, discussion concerning many products on which it is declared that, although the duty is substantial, it is not effective, due to market conditions.

We have determined the rates of duties to be put in this bill on the basis of an average of the experience of the country and of the industry——

Mr. LAGUARDIA. Which country—the country of origin or this country?

Mr. HAWLEY. Our country and the country of the origin of the imports.

Not taking any particular month, very seldom taking a particular year, but taking the experience of a period, we ascertained the average difference in competitive conditions with which our people have to compete, and on this basis justifying the rate we made by the facts, thoroughly tested, we determined the duties to be levied.

A duty expresses the point at which protection ceases. Let me state that again. A duty indicates the point at which protection ceases; that is, there is no protection above that point.

If the duty is 20 per cent and the competition would justify 30 per cent, the effectiveness of the duty ends at the 20 per cent. But duties may be at times entirely inoperative owing to domestic competition in some parts of the country and effective in other sections. The effectiveness of any duty depends upon the domestic markets.

It has been frequently asserted that the duty adds to the price of a commodity in this country, and generally it is said that the duty is added to the price of domestic products to the full amount of the duty.

In order to determine what change in price is made by duty it is necessary to study the market conditions surrounding every transaction affecting the particular commodity. It varies from time to time, and we believe—and there are scores of instances justifying such conclusions—that the most effective method of advancement of industrial development and the stability of prices, and the employment of labor, is domestic competition rather than foreign competition. [Applause.]

Our foreign trade amounts to about $9,000,000,000 a year and our domestic transactions to about $90,000,000,000 a year—ten times as much as our foreign trade. You can cite the cases of aluminum, tin, and various other articles where we established the industry by a protective duty, and where to-day our people get a better quality of those wares at a lower price than in any place in the world.

Moreover, we have considered that the tariff is a domestic question. This country adopted the principle of protection as a general policy under President Washington. Various parties subsequently adhered more or less to that principle, but the Republican Party since 1860 has continually adhered to that principle. The result has been that we have built up the greatest country on earth from $16,000,000,000 of wealth and 31,000,000 people in 1860 to three hundred and more billions of dollars of wealth, multiplying the wealth twenty times, and 120,000,000 people, multiplying the population four times, and presented to the world the spectacle of a country richer, living on a higher standard, with more employment for labor, better markets for products, than anywhere else in this world. [Applause.] That is because we have said that we are able to manage our own domestic affairs. [Applause.]

We have no intention of excluding foreign nations from our doors. Listen to these particular facts: Under the act of 1922 our foreign trade has doubled, and has been doubled for some time. We imported in 1927, for instance, $4,163,000,000 worth of goods. Of these, $1,483,000,000 came in paying duty, and over $2,680,000,000 came in duty free. Only 36 per cent in value of imported articles paid duty and 64 per cent entered duty free. On the dutiable goods we collected not quite 39 per cent ad valorem in duties. The average ad valorem on the total of dutiable and duty-free goods was less than 15 per cent.

That is not excluding nations from our trade. Fifteen per cent is a moderate amount to be paid for the privilege of trading in the richest markets on earth, which they did nothing to establish. They can have their suits tried in our courts if necessary. Their business is protected by our laws. They have an opportunity of free movement for themselves and their goods, wherever they wish them to go when properly imported. They are not restrained by police regulations or any other restrictions on trade, except those which apply to Americans as well, that the goods must be sound and wholesome if they are food products, and not sold under restraint of trade and other salutary regulations for common decency in business.

Now, to ask them to pay on the total imports only 15 per cent of the value they have declared, which is based not on any basis of valuation of this country but on the value they themselves have declared seems to me to grant to foreign nations wishing to trade with us the privilege of trading on very liberal conditions. [Applause.]

We have not erected any barrier against any country for punitive purposes because we do not like them or because we have had any disagreement with them.

There is nowhere in this act or any former act a discrimination against any country, unless that country began discrimination against our trade. We simply desire to be treated as well as they treated any other nation, or as we treat them.

Before I pass on to a discussion of the schedules, I desire to speak on four matters in the administrative provisions. The administrative provisions have been very thoroughly revised. We call it a readjustment of schedules, because it is a readjustment, but it is a revision of the administrative features. Many of those features were adopted years ago, when the conditions of doing business and the conditions of foreign trade were entirely different from those that exist to-day. At our request the Treasury Department, the Tariff Commission, the Department of Justice, the Customs Service, including the Customs Court, made a very careful study of the administrative features, and worked on them for months. A very large amount of litigation has arisen, and is continually arising under some of the provisions. A small change in certain phraseology, which has led to the lawsuits and the disputes, would cure that condition. We endeavored to find out what the language necessary to avoid a multiplicity of suits is. They have answered that question for us in this draft that we present you to-day. In both the readjustment of the schedules and the revisions of the administrative features, we made no critical examination of paragraphs under which no proposal of change was made. If a proposal was not made to change a paragraph, it was presumed that those who benefited by it were satisfied or else they would suggest some change. If those who operated under it on the other side, the importers, the foreign agents, made no suggestions, it was presumed that they were satisfied. So, in the paragraphs in which no changes are made, both in the schedules and in the administrative provisions, it was agreed by common consent that they were operating satisfactorily to all parties in interest.

The first change of importance that we made in the administrative features—and I am not saying that the others are not important, but merely speaking of this as more important—is in the so-called flexible provisions. We found, as all the country has found also, that it took a very long time to arrive at a conclusion under the present law—from four to five years in some cases—and by the time the conclusion was reached its value was much depreciated, except as an historic incident. Our intention has been to enlarge the power of the Tariff Commission, to give them greater scope of authority, to untie their hands, by allowing them to use other means to determine the differences in competitive conditions at home and abroad other than they are now permitted to use and to hasten the date when they must report. At first it was thought to be proper to fix the date within four or five months within which the commission must report, but that was deemed inadvisable upon further inquiry, but we expect that the newly created commission will report very promptly under the investigations it makes under the new paragraph.

We have re-created the Tariff Commission. The present commission goes out of existence. Its members will continue until they are supplanted by reappointments of the President, and they may be reappointed. There is no restriction on their reappointment, except to the extent that the President is given a free hand to select the men whom he thinks will best serve the country on this commission. We have changed their term of office from six to seven years and have increased their salaries from $9,000 to $12,000. We have increased the number of the commission from six to seven. It seemed inadvisable that there should be a commission which by deadlock could not function. Any commission created to serve the public, any body created to serve the public, ought to be able to function by its majority, which must, of course, assume the responsibility for the action taken. It is a universal principle in government that a majority should act and assume the responsibility of its action, and a commission that can not function because of deadlock can not be of the greatest public service.

The provisions for the enlargement of the powers of the commission are set forth in our report in full; and on that report let me say that we have presented a complete picture of the work of the committee. There is, first, the preliminary statement, as usual. Then each subcommittee under its own name has reported on its particular schedule, and following the report by each subcommittee is a print of that schedule under the Ramseyer rule, the old law with the matter to be omitted marked in black brackets and the new language in italics, so that anyone reading the report of the subcommittee has an index to the schedule, and on examining the schedule can at once see the reason for the changes that have been made in that schedule. It is our purpose to present to the House and to the committee a complete picture at once understandable of all the changes that we propose, and under the agreement just adopted not long ago on this floor there will be available in the document room by Saturday morning reprints of it in larger type for the convenience of the Members.

In the case of the appraisal of merchandise considerable difficulty was found by the Government and the Customs Service in determining finally what the appraised value of merchandise should be. It is of interest both to the Government and the importer that the appraisals be promptly made and the duties be liquidated. The importer desires to sell his merchandise and get it out of his hands. We provide that under certain provisions detailed in the bill the finding of the appraiser as to the basis of value shall be final and conclusive as a prima facie case, and that from that finding appeal may be taken to the Secretary of the Treasury, and his decision shall be final and conclusive likewise as to the basis of value. These appraisal cases arise in great numbers, dragging their weary way through the courts, clogging the business of the Government, when all that is necessary is for some one to say what the basis shall be. We have sought to remedy the condition by making these provisions.

It was proposed that we limit the amount of commodities that could be imported from the Philippines, especially, and others of our possessions, either in quantity or value. The committee rejected such proposals, and our possessions have the right of free trade with the United States under this bill in the same measure as they have had it in the past. [Applause.] In other words, they are still a part of the United States in every respect, in trade and otherwise.

The fourth item to which I wish to direct special attention is the subject of valuations. I have already called attention to the difficulties we find in dealing with foreign countries in attempting to ascertain costs of production there. One great country has forbidden our agents from making investigations. Others make it very difficult. Of course, we have no authority, no right to demand that that right be given. We can not of our own right say to them, "We must examine your books." It is a matter of the comity of nations, and that permission they are becoming unwilling longer to extend.

We have considerable difficulty in the matter of valuation of imports, undervaluations, or where imports come in from the same country, for instance, from the same seller to different buyers in this country at different invoice values. One may be a better buyer than another or may buy in larger quantities and get a reduction in the price, and he imports at one price, and a less successful buyer imports at another price.

There are a great many other difficulties. We are proposing that the President of the United States make an investigation of all the proposed methods of valuation in this country to determine their practicability by a scientific investigation and to report to Congress on the several plans of valuation that may be administrable, if possible, in this country for the subsequent action of Congress.

Speaking for myself only, having had experience in the preparation of two tariff bills and knowing the difficulties we have labored under generally in any attempt to find out what the foreign costs were, I believe we shall come in a short time to some form of valuation in the United States as the only solution of the problem of dutiable values. [Applause.] It will be fair to foreign countries, for now if goods come in from Czechoslovakia at a very low rate and come in from the English possessions at a much higher rate, although serving the same purposes, and possibly selling at the same prices in this country, the English producer or seller pays a much higher duty than Czechoslovakia, and thus we are giving an advantage to the nation of the lower wage scale or lower standard of living.

The foreign wages average only about 40 per cent of the American wages, and in some countries they do not equal 10 per cent of our wages in certain lines of industry. Abroad much production arises from home work at almost no cost of production, being done by women and children for which they receive no wage but only get their living in the family. It is impossible to distinguish between goods brought in so made and goods made otherwise. Such goods might also be remanufactured before reaching our shores. The only way to readjust that fairly to all our foreign neighbors is to adjust the duties on the basis of some administrable form of American value, so that they will all pay the same amount of duty. [Applause.]

Now, I wish to comment briefly upon the schedules. We have in our report set out very extensively the changes made. In the chemical schedule, out of 93 paragraphs, only 39 changes were made. Thirty-three were increases and six were decreases. That schedule contains hundreds of items. The duties on 33 commodities were raised and on 6 were lowered. In all the schedules you will find that we have added a large number of products that have heretofore been concealed in basket clauses or are new products.

If an article is imported under the basket clause, no separate account of it is made by the customs, and in order to get information as to the imports in quantity or price it is necessary to go to the ports of entry and examine all the invoice sheets on such items. We have found it very difficult many times to ascertain the proper duty to be assessed upon any import, because the item was in a basket clause and the data regarding such imports were not separately reported. In this bill we have increased the number of items by name by several hundreds, in order that they may be separately reported in the customs and we may have report in complete detail of the amount imported, the value, the rate of duty, the duty collected, and the ad valorem of that duty.

In the second schedule, on earthenware, changes have been made to meet the necessities of certain lines of products. A careful examination of these schedules will indicate that the changes made generally are few in number as compared with the total items in the schedule and that the amount of the change is not large. Examining the bill not long ago, I was surprised at the number of times the change of 5 per cent only occurred—from 25 to 30 per cent, or from 35 to 40, or from 15 to 20 per cent—where the industry needed a slight addition to its protection to prevent its being so greatly embarrassed that it could not proceed. We have found in our investigations a considerable number of industries which are going on because it is less expensive to continue operating at a loss than it is to close up the industry.

They have continued operating, hoping for relief. If they close up their industry they lose their organization; they lose their trained labor; they lose their markets; and they lose all the value of their advertising, and if they ever resume they have to repeat their advertising, regain their markets, reassemble their labor, and rehabilitate their plants. These industries are in the red, but with the changes we propose they will at least be put back on a competitive basis; their labor will continue to be employed; we will have the benefit of their products and the competition they afford. We will also have the benefit of the increased wealth of our country by their total of manufactures.

In the metal schedule and in the earthen schedule, the question of building materials arises. There is no change on pig iron over that proposed by the President. We have adopted the presidential rates in practically every instance. If the flexible tariff provision is sound and its findings are to become the law of the country, after long investigations have been made on the products affected, we came to the conclusion they should be adopted after we had examined them. We were satisfied they represented the right rates. We did not accept any presidential rate that I remember without reinvestigation. We are your agents and you asked us to be certain before we made any change that the change was justified upon investigations made by ourselves.

On common brick we have put a duty of $1.25 per thousand. That affects only the manufacturers in the Hudson River terri-

tory. It will not affect the rest of the United States, because the local competition in the brickyards in every other section of the United States will determine the price at which the bricks will be sold in that locality. But bricks were coming into this territory as ballast and avoiding the question of dumping by a narrow margin. They were coming in at a low transportation rate and were underselling the American brick, when they were being manufactured and sold on a proper basis of profit. The price in that section has been reduced several dollars in a short time by these importations of brick.

Cement has been given a duty of 8 cents per 100 pounds, which is equal to 30.4 cents per barrel. The same remarks apply to that as apply to brick. It is a problem involving only the Atlantic coast, extending from Boston, excluding New York, down along the southeastern coast of the United States. It is a coast problem. It will affect in both instances coast products, and, if it raises the price at all, it will raise it only in the coastal sections of the country, because the cost of transportation to the interior would prohibit the foreign brick from moving very far.

In iron and steel there is practically no change as to building materials, except where duties have been imposed upon certain alloys used in hardening and toughening. Steel sheathing for piling has been given a small added rate. In the metal schedule I think the most important change was in the watch and clock paragraphs. These paragraphs were adopted years ago, and the Customs Service have not been able recently to make them work satisfactorily. The descriptions are ancient; the basis for the collection of the duties is antiquated. The whole watch production has changed its nature and its method of manufacture, so that these paragraphs have been entirely rewritten and revised. The duties have been materially changed because the American manufacturer was not able to compete with the manufactures coming in from abroad, especially from countries whose wages are only a small fraction of ours.

The wage cost of a commodity, from the time it begins as a raw product until it ends in the finished material, is the greater portion of its cost of production and usually of its selling price. In any complicated manufacture, as is the case of watches, the labor cost is the very large proportion, 75 or 80 per cent, possibly more in some of the finer watches, of the entire cost of production. Suppose a watch costs $100 abroad. The wage cost here would be three or four times as great as such cost abroad. That gives the foreign manufacturer an advantage against which our own people can not compete. That would apply to any number of products.

In the case of wood and its manufactures, we have made these changes: Lumber from pine, fir, hemlock, and spruce, the four great lumber-producing materials, are on the free list. Logs have a duty of $1 per 1,000 feet board measure, but the importation of logs is insignificant as compared with the total production of lumber. Iron and steel building materials and lumber are practically unchanged, except as elsewhere stated in regard to lumber.

There is a duty of 25 per cent on imports of cedar and shingles because of strong and long-continued competition between the mills of British Columbia and the Northwest. Cedar lumber comprises but a very small percentage of the lumber manufactured in this country. It grows in the woods in connection with other trees but not in great quantities. There are certain localities where there may be forests of cedar, but that is not true generally, because cedar is found along the little streams or at the headwaters of small streams, and it is like the tulip tree or yellow pine in that it likes the damp places where the springs are.

Shingles have been given a rate of 25 per cent ad valorem. Maple and birch, of interest to the old Northwest, around the Great Lakes and to the West, have been given a duty of 15 per cent. There has been but little increase as to other wood and manufactures of wood.

In sugar, the duty on 96° sugar has been fixed at 3 cents as compared with $2.20 at present against all the world.

The duty against Cuba for 96° sugar, which is that commonly referred to when we speak of the sugar schedule, will be $2.40 as against $1.76 in the present law. The greater proportion of our sugar that pays duty comes from Cuba, and this will make an increase of 64 cents per 100 pounds.

The experts before the committee, including Doctor Bates, of the Bureau of Standards, who, I think, probably knows more about sugar than anybody else in the country, made the statement that when the American sugar is on the market we get our sugar cheaper than any other time. When the American sugar is available for the people to buy, they pay less for sugar than they do when American sugar is not on the market.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent that the gentleman may conclude his remarks. [Applause.]

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent that the gentleman from Oregon may have sufficient time within which to conclude his remarks. Is there objection?

There was no objection.

Mr. HAWLEY. I appreciate the courtesy.

Cane sugar comes from cane grown in Louisiana and beet sugar is grown in some 10 or 12 States. It is a crop that takes the place of the great crops of which we grow a surplus. If we could find enough crops to take the place of corn and wheat and other products that are grown to an excess, we would go a long way toward solving the agricultural problem.

What the farmer in this country needs is not an opportunity to borrow more of other people's money or to make some arrangement by which he can continue for a while on a certain basis and then have a heavy burden to bear when the day of settlement finally comes, but what he really needs is an opportunity to sell his products at a remunerative price and have some money of his own. [Applause.]

In this bill we have had this thought in mind. All through it, wherever it is possible to encourage a substitute crop, like soy beans, beets, fruits, vegetables of all kinds, and many other products which I will not take the time now to mention, we have done so. These crops are money crops and bring the farmer money, and instead of putting his land into crops of which there is now an excess production, he relieves that excess production to the benefit of the farmers who still remain producing the great crops of corn and wheat. It seems to me this is a wise and sound economic policy for the country to pursue.

We raised the duty on sugar because we think the growers of it in the several States need this advantage to equalize the difference in competitive conditions, and since the American public can buy the domestic sugar cheaper than they can the imported sugar, it wil be for the good of our people if we raise more of our own sugar. [Applause.]

I am not attempting to comment on every schedule and on every item. It would take too long and would not serve, I think, the purpose which at this time should be served.

There is no change in the tobacco schedule.

In the agricultural schedule there are probably more changes than in any other schedule. These are divided into several classes.

First come the meats. There is no increase in duty on cattle on the hoof. An animal weighing 1,050 pounds will come in at a duty of $15.75 as in the present law. An animal weighing 1 pound over that will pay $21.02 and 2 cents a pound for each additional pound that the animal weighs.

About 450,000 cattle come into the United States every year as compared with the millions that are slaughtered.

According to figures furnished us by the Tariff Commission, the cost of growing range cattle in the principal range sections of Canada is very nearly the cost of our own producers. In some instances they proved a little higher and in some instances somewhat lower, but the present rates offset the differences in competitive conditions, and, consequently, we made no change on cattle on the hoof.

But when we come to beef—that is, meats—comparing the prices at which our principal competitors sell their meats with that at which we can sell our meats, we found that the duty should be changed from 3 cents to 6 cents per pound.

Beef is the basic meat of our consumption, and around the duty on beef we have based the changes on all other meat products.

Mr. HUDSPETH. Will the gentleman yield there? I would like to ask the gentleman relative to the cost of producing cattle in Mexico. We have quite a few cattle imported from Mexico and I would like to ask the gentleman, inasmuch as he has stated the relative cost with respect to Canada, what is the relative cost of producing cattle in Mexico and in this country?

Mr. HAWLEY. We found not many cattle were coming in from Mexico. The herds have been greatly depleted by the revolutions.

Mr. HUDSPETH. That is true.

Mr. HAWLEY. And there was no problem that the Tariff Commission could find at this time. There was no immediate problem and we had no definite information upon which we could make any assessment of duty, but we are re-creating the Tariff Commission. The flexible provisions of the bill are made more efficient and more prompt. There are some instances where there may, in the near future, be need for a change in rates of duties. Under these provisions you can get an addi-

tional 50 per cent, if necessity arises, in the matter of cattle imported from Mexico, which I think would cover any probable difference in the cost of production in the two countries.

We made a change in the duty on sheep and goats from $2 to $3 per head, and on mutton and veal from 2½ cents to 5 cents a pound. When we established the beef rate as a basic rate, in adjusting the rates on other meats we considered the cost of production and competitive conditions in respect of every other kind of meat, so that we did not give the meat of sheep and goats 6 cents a pound, but 5 cents a pound; the comparative conditions justified 6 cents for beef and only 5 cents for mutton.

But lambs are more expensive to raise for the length of time they live, and we gave lambs 7 cents a pound. The rate on pork is made comparable with that on other meats—we are on an export basis and these duties will probably be active only in extreme instances. The other meats are based on their values as compared with those on beef. We raised the duties on poultry, live and dressed, on the same basis.

When we came to dairy products we accepted the President's decision providing 12 cents a pound on butter. That is the basic dairy product and all other rates in this paragraph relating to dairy products are based on the duty on butter—4 pounds of butter in a gallon of cream—48 cents for cream and other duties on the same basis. If the duty of 12 cents a pound on butter is right, the other duties are properly adjusted.

The fish paragraphs are entirely rewritten and accord with the modern practice and commercial conditions. No special changes are made in rates of duty, which are advanced only in a few instances. The new product of fillets is being developed and shipped all over the country. In this schedule, as in others, we have named the products specifically, in order that they may be listed in the customs reports.

The hen and the cow are most important possessions of the farmers. Together they brought in last year $1 out of every $4 of the farmer's gross income. These industries have been expanded. They needed these changes. Here is a farm relief in active operation doing its work. What is the wise thing to do? Why, to foster it. That is what we have done in behalf of the dairy and the poultry products.

We have increased the duty on nuts and vegetables as substitute crops. Instead of confining themselves to the production of a few great crops our farmers ought to be raising crops in great variety; not sell at one season of the year, as they do their grain, in tremendous quantities throwing on the market at one time millions of bushels, but enable them to dispose of products at all times of the year as the market demands. If we can relieve the basic crops and develop more diversity in agriculture by the use of the tariff we will be rendering the most aid to agriculture, in my judgment, that it is possible to render. [Applause.]

The Southern States from Florida to Texas are endeavoring to reach the market with their winter and spring vegetables. They have the climate, they have the labor, they have the soil; but they have very vigorous competitors. Mexico against Texas with Mexico scheduled to win without due protection of the domestic supply. Florida and other Southern States against Mexico and the isles of the Caribbean Sea. We have increased the duty on green beans from one-half cent to 3½ cents a pound, and the duty on green peas from 1 cent to 2 cents a pound. On cucumbers, squash, eggplant, and various other commodities of that kind we have very materially increased the duty. So that practically all the winter and spring vegetables sold in our markets can be produced in the United States in the course of time. Why should they not be so produced? [Applause.]

We gave some of the highest increases in duty to these commodities. The increase from one-half cent per pound on green beans to 3½ cents is an increase of 600 per cent. We believe it is justifiable, in order to give this part of the United States an equal opportunity in the markets of the country.

The next announcement I make with some hesitancy. There is no change in duties on wines, spirits, and other beverages.

The changes in the cotton, silk, and rayon schedules are based generally upon the fineness of the yarns used.

In the case of cotton yarns the rate is increased from one-fourth of a per cent ad valorem to three-tenths of a per cent for each additional count; and in cotton cloth from one-fourth to thirty-five one-hundredths of a per cent ad valorem for each additional count, reaching a maximum rate at the count of 90 instead of 80. This is an increase of about 7 per cent on the yarn and on the countable cloth about 10 or 11 per cent.

The cotton industry in this country is not in sound condition, speaking generally. New England has felt the distress more than any other section, although we had some statements from the South saying that they, too, are feeling the distress. Our competitors abroad have an uncanny ability to pick out commodities in this country that have not sufficient protection, and to attack them. They find the places in the tariff that are most vulnerable and they drive through, and in the case of many specialties in the cotton schedule the attack on them from foreign sources has been very severe and successful. After a careful study we are confident that the increases that we have granted are fair and will be effective.

In rayon and silk much the same condition prevails. I have already stated that rayon has been given a separate schedule of its own. More particular information upon the individual schedules will be furnished by the chairmen of the various subcommittees and their associates when they take the floor. If any person wishes to inquire more particularly into any item, he will be able to get the information at that time. As chairman of the committee I told these gentlemen that when their schedule was being examined they would carry the ball. We have endeavored to do teamwork on these schedules in order that every man might have an active part in their preparation and be prepared to render the country and the House an individual service.

In Schedule 10, there is a change in the duty on flax to promote an American industry, and some changes in other items, not large in extent, mostly compensatory in character.

The wool schedule has been changed to this extent: The woolgrowers asked for rates as high as 46 cents per pound on the clean content of wool. After long investigation and special reports from the Tariff Commission we concluded to advance the rate on clean content of wool from 31 cents to 34 cents a pound. According to the Tariff Commission, under certain conditions of competition, 38 cents would be justifiable as to certain foreign competitors, but, taking the average of several years, the competitive conditions, in our opinion, justify a duty of 34 cents per pound. Having decided that, we revised the compensatory duties, which in this schedule are the specific duties, on the basis of the ratio of 34 to 31. The ad valorem duties in this schedule are the protective rates. We increased those in very few instances—in the case of some finer cloths or of specialties. While this schedule appears to be materially advanced, yet if you eliminate that increase of 3 cents on the clean content of wool you will have, as I remember, only some six or seven changes of rate.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BURTNESS. Will the gentleman explain the reduction in some of the raw wool, so that we can understand what that is, before he passes from that schedule?

Mr. HAWLEY. What paragraph?

Mr. BURTNESS. As I understand it, there are some wools that are reduced from 31 cents down to 24 cents.

Mr. HAWLEY. Those wools are not produced in this country.

Mr. RAMSEYER. They constitute only about 1½ per cent of the production in this country.

Mr. HAWLEY. The gentleman from Iowa says that they constitute only 1½ per cent of American production, so that they are practically not produced in this country.

I have already spoken of silk and rayon. Next we come to papers and books. There is practically no change there.

The last schedule is sundries, containing items of great variety, heterogeneous in character, unrelated in kind. Every one is a different problem. They are not like the schedules where the paragraphs are built one upon the other. One of the chief changes is in women's wool hats, which come in from Italy in millions. We changed the rate of duty on them to give the American manufacturer a fair opportunity in the American market.

The free list has been added to and subtracted from, and a statement of the changes is given in the report of the subcommittee, of which Mr. ALDRICH is the chairman.

Occasionally, some one refers to the consumers as if they were a class apart from the rest of the people of the United States. Every person is a consumer in the United States and every person who renders any useful service or produces any commodity or serves his fellows in any capacity is a producer. Only the idle or those engaged in activities contrary to the general welfare are consumers only. We all enjoy the American standard of living which has been created and is maintained by the protective tariff. Our prosperity is greatest, our general welfare the most soundly established, and our progress most assured only when all of our industries are busy, all our producers profitably engaged, and all our wage earners receiving steady and remunerative employment. The pending bill proposes to relieve those against whom foreign competition is specially and effectively directed. In their restored prosperity we all will share; we are all consumers and producers and the solidarity of our interest is indivisible.

Before I answer any questions that may be asked I desire to make one concluding statement. We have endeavored to carry

out your will, gentlemen. We are your agents, your specially deputed representatives, to perform a certain task. We have done this work seriously. It involves the fortunes more or less of 120,000,000 people. We have 27,000,000 people in this country who derive their living by being on the pay roll of some other person or corporation. If the person or corporation for whom they work are not prosperous, they lose their employment.

If these workers are not employed, the farmer loses his greatest market. You can not attack one part of the tariff structure and weaken it without injuring every other part. [Applause.] So we have endeavored in this readjustment to hold an even balance between all of the industries of the United States; and I refer to agriculture as an industry, because if there are any people who work, it is the farmers. We have endeavored to hold an even balance between all the industries of the United States, not on the theory that an ad valorem rate of a certain amount would solve the problems, but that whatever rate was necessary for their protection should be written, based upon the information that we have. We have endeavored to treat them on the same basis. [Applause.] We commend this bill to you for your careful consideration.

Mr. HULL of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. The members of the committee and of the subcommittees are willing at all times to explain the facts and figures on which we based our action. We were a jury, in a way, hearing the evidence and deciding the cause for the people of the United States severally and jointly on the basis of the facts presented.

Now I yield to the gentleman from Tennessee.

Mr. HULL of Tennessee. The gentleman was speaking of holding the balance between the industries here and abroad.

Mr. HAWLEY. The balance between the industries in the United States, not to give one an advantage over another.

Mr. HULL of Tennessee. I misunderstood the gentleman. I was going to ask him about the large number of rates we have here in which we have large exports and no imports in which there are high rates. For instance, safety-razor blades. The rate is 175 per cent. There are $8,000,000 or $10,000,000 of exports and a very small amount of imports.

Mr. HAWLEY. It might be that the exports were large and the production large, but it might be that the competition is directed to a portion of the industry against which all the imports that come in compete.

Mr. BACHARACH. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BACHARACH. I want to say that we did decrease the rates on razor blades.

Mr. HULL of Tennessee. How much did you decrease them?

Mr. BACHARACH. I do not have them at hand, but I can give you them later.

Mr. HULL of Tennessee. There are many hundreds of high and substantial rates in the present law with large exports, and where the imports are few or nothing. Is it the policy of the committee to make that a permanent part of the structure of the tariff law to that extent?

Mr. HAWLEY. The gentleman will find, I think, that wherever these rates exist a severe attack is being made on some branch of an American industry. It may not be the whole industry, but only a few of its subdivisions, for instance those producing specialties. But the entire imports may be directed against those particular items, which might be small as compared with the production as a whole and of the exports and imports as a whole. The amount may not be large, but it may involve the existence of the industry engaged in making the particular items.

Mr. HULL of Tennessee. Take for illustration, tin plate, $22 a ton, in the sale of which I understand there is an international agreement. What would that amount to when they operate in violation of our antitrust law by their international agreement?

Mr. HAWLEY. I can only say that the tariff is placed in order to continue the industry in this country, which is the cheapest producer of that commodity in the world. [Applause.]

Mr. HULL of Tennessee. I believe we have a rate of 33 per cent on paints, with many millions of exports, and only two or three millions of imports. What was the policy of the committee in that case? That is just one of several hundred instances that might be mentioned in that category. I do not want to take up the gentleman's time unduly.

Mr. HAWLEY. I think the statement I previously made would apply to that particular commodity.

Mr. HULL of Tennessee. What I was trying to get at is whether the policy of the committee was to take the McCumber-Fordney structure of 1922, and no matter how high those rates are leave them as a part of our permanent tariff policy.

Mr. HAWLEY. Wherever we found that people operating under any paragraph or item on both sides; that is, both the American and their foreign competitors, found no complaint, it was held as evidence that that particular paragraph or item was serving its purpose.

Mr. HULL of Tennessee. Will the gentleman state, then, what standard or formula was adopted for fixing the rates?

Mr. HAWLEY. Wherever the evidence indicates and our information proves that American industry was suffering from a competitive condition to its disadvantage in competition with the foreign producer or with foreign imports, we adjusted that rate to meet the competitive conditions.

Mr. HULL of Tennessee. The gentleman has just stated that the practice of the committee was to follow four or five other methods in ascertaining the standard of measure under the flexible clause, because you could not ascertain the foreign production costs. It is not contended that the new rates were based on the difference between the foreign and domestic costs?

Mr. HAWLEY. If foreign costs were not available, we had the invoices and the prices at which the commodities were sold. We had reports from the foreign trade journals which are available in this country. Prices can be obtained by cable when necessary. We had a number of sources of information. Our hands were not tied like the hands of the Tariff Commission under the existing law. We availed ourselves of the entire field for means of information.

Mr. HULL of Tennessee. It has been announced by some for some 20 years that the true standard of tariff measurement is the difference between foreign and domestic costs. Now, it is not pretended that the present act of 1922 was based on that formula, because nobody was able to get those costs. I was trying to ascertain what the standard of measurement or the formula for tariff measurement was from the statements the gentleman has just made.

Mr. HAWLEY. The foreign production costs, wherever available, and where not available, for any reason, the prices stated in the invoices, because prices stated in the invoices are certainly the prices at which the foreigner is willing to sell—and usually they include the foreign manufacturer's profits—the price at which such articles are sold abroad, especially the prices quoted in foreign trade journals and prices quoted to American dealers in these commodities. All of those things were considered, and there were a number of other sources of information.

Mr. HULL of Tennessee. Will the gentleman state about how many rates are raised and how many rates are reduced under this revision?

Mr. HAWLEY. As nearly as I can tell, without going through the list and examining the basket clauses in detail, 15 or 20 per cent of the protective rates are raised.

Mr. HULL of Tennessee. I mean, out of, say, 1,000—if that would be an accurate estimate of the number of changes—about what proportion are increases and what proportion are decreases?

Mr. HAWLEY. Most of the changes are increases. The decreases are not numerous.

Mr. HULL of Tennessee. The gentleman can not give an approximate estimate of the number?

Mr. HAWLEY. No; I can not; but the number of reductions are not numerous.

Mr. BACHARACH. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. BACHARACH. I would like to call the attention of the gentleman from Tennessee to the fact that razor blades come into this country for the most part in strips, and your committee cut the rate from 1 cent each to a half cent, and it is so carried in the bill, paragraph 358.

Mr. HULL of Tennessee. Then it is as prohibitive now as it was before?

Mr. BACHARACH. I would not say quite so prohibitive.

Mr. GARNER. May I make a statement in connection with razor blades?

Mr. HAWLEY. Certainly.

Mr. GARNER. The gentleman from New Jersey has not given the picture of it. Razor blades coming into this country in strips pay now, but razor blades coming into this country in strips without being sharpened do not pay a duty, and that is what you are trying to raise in this bill. The gentleman knows that the testimony before the committee was that they were coming in as fabricated steel and were not paying a duty and the intention now is to put the duty up where it is above 300 per cent.

Mr. BACHARACH. I think the gentleman is in error. If he will refer to paragraph 358, he will find there is a decision and that it was claimed they were trying to get these strips in.

Mr. GARNER. How much duty do they pay on fabricated steel at the present time?

Mr. BACHARACH. On thin steel?

Mr. GARNER. On fabricated steel.

Mr. BACHARACH. Well, I would not know exactly what they pay, but they do come in under paragraph 358, which calls for 1 cent, and a cut has been made so that they will come in for one-half cent.

Mr. HAWLEY. I am just informed that the customs court has decided that they had to pay 1 cent under the present law.

Mr. GARNER. But they had not decided that when the hearings were held.

Mr. BACHARACH. I will say that at the present time razor blades come in at 1 cent each, whether they come in in strips or in packages, and we did reduce it as to strips to a half cent, despite the fact that over 69,000,000 razor blades came into this country last year.

Mr. McKEOWN. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. McKEOWN. You have made an important innovation in this bill. In the preamble you add the words "to protect American labor," which have not occurred in any bill I have been able to find in the history of the country. Did the gentleman investigate the question of the constitutionality of the innovation of putting in the words "to protect American labor"? You say in this bill:

To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States—

And then you have added the words—

to protect American labor.

I wonder if the gentleman has given any thought to the question of the constitutionality of those words?

Mr. HAWLEY. What would be the difference if they were held to be unconstitutional? They would not affect the bill.

Mr. McKEOWN. I just call the gentleman's attention to the fact that in the debate in Congress years ago it was decided it would imperil the bill to put in the language "to protect American labor."

Mr. HAWLEY. American labor is one of the most important factors in every branch of industry in this country.

Mr. COLLIER. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. COLLIER. In his colloquy with the gentleman from Tennessee [Mr. HULL] did I understand the chairman to say—I have not had time to look at all the good things and all the iniquities in this bill; I have found the iniquities and I am going to look for the good things later on—but I want to ask the chairman if I understood him to say there was an honest effort on the part of the committee in fixing these rates to go no farther than to fix rates which would equalize the difference in the cost of production here and abroad, or do I understand that it was the effort of the committee, in addition to equalizing the difference in the cost of the production of an article here and abroad, to give a reasonable profit? I think, perhaps, the gentleman would prefer to answer it that way, a reasonable profit to the manufacturer.

Mr. HAWLEY. We adjusted the rates on the basis of the differences in competitive conditions, and while I do not know whether the subcommittees considered the element of profit, yet naturally that is a part of doing business. I can not answer the gentleman with any definiteness as to what was in the minds of the various subcommittees when they made the rates.

Mr. COLLIER. The gentleman will recall that in the campaign of 1909 there was a little clause in the platform declaring for a reasonable profit to the American manufacturer which was the slogan and the keynote of that great political campaign, and we on this side wish to know, not having had an opportunity to go into the rates in the bill, whether there was an honest effort to go farther than to equalize the difference in the cost of manufacture here and abroad in order to go no farther than to make a competitive tariff rate, or was there an intention to absolutely prohibit the entering of many articles that are used by the American consumer. I know the gentleman is going to answer me fairly.

Mr. HAWLEY. There is no intention to prohibit any importations. The intention is that they should not come in to the disadvantage of American producers and laborers.

Mr. BEEDY. Will the gentleman permit me, in response to the gentleman's question, since he has referred to the political platforms, to call his attention to the fact that in the last campaign we took issue with the gentleman's party in the precise particular to which he has referred. His platform asserted that the extreme limit of any tariff duty was to be measured by the difference of cost of production here and abroad. Our platform went farther and did not hamper or restrict in that manner, but pledged itself to such a revision of the tariff as would guarantee the home market to American labor and American industry.

Mr. COLLIER. I thank the gentleman for his illuminating remarks. The gentleman has given me the answer I wanted.

Mr. BEEDY. We broke no faith. We kept our faith with the country, inasmuch as we were not hampered by simply the difference in the cost of production here and abroad.

Mr. LAGUARDIA. If the gentleman will permit, I would like to ask him about two matters.

Mr. HAWLEY. I yield to the gentleman from New York.

Mr. LAGUARDIA. In the first place, how does the gentleman reconcile his first statement that the bill leaves open absolute and complete free trade between the United States and our insular territory, to which we all subscribe, with his later statement which was an expression of hope that the increased tariff on sugar will develop a new industry so as to create the supply for the American demand for sugar? How does the gentleman reconcile those two statements?

Mr. HAWLEY. I do not see any difficulty in that. What is the difficulty in the gentleman's mind?

Mr. LAGUARDIA. If the gentleman's purpose in increasing the tariff on sugar is to create an American market to supply the American demand for sugar, will that not cut off the chief source of livelihood of our islands?

Mr. HAWLEY. No more than the producer of corn in Iowa will cut off the source of livelihood of the producer of corn in Nebraska or in Kansas. It is a domestic question. They compete in our market as domestic producers. The Philippines will have free entry of their sugar here and it is up to them to sell at a price at which they can compete, if they are to continue doing business in this country. The tariff does not have anything to do with domestic competitors.

Mr. LAGUARDIA. But the real purpose is to stimulate the growth of cane and beets in the United States.

Mr. HAWLEY. Indeed, surely.

Mr. LAGUARDIA. Now will the gentleman answer this question? The gentleman states that we must take this tariff as a whole and that its purpose is to affect all of the country, and there is no argument about that, yet how does the gentleman justify his tariff on bricks and cement, coupled with his statement and assurance that it will only affect the eastern border of the United States?

Mr. HAWLEY. It is quite true, of course, that a tariff is levied against all production of that kind, but, as I stated in the course of my remarks, the effectiveness of a tariff varies with the local market, and just at this time and so far as we can see the seaboard is the place that will be attacked and the competition of the local markets will determine the prices there.

Mr. LAGUARDIA. True, but it is an innovation, let me say to the gentleman, to place a tariff on any commodity which will only affect a minority or a small strip along the Atlantic coast.

Mr. HAWLEY. Oh, no. In 1922 hay was a New York problem, potatoes was a Maine problem, wheat was a Wisconsin, North Dakota, Minnesota, and Montana problem. I could go around the map and show there were storm centers where the competition centered or where the competition existed only, but the people of the United States, whether they are in a small or large geographical area, where their production is appreciable in amount, are entitled to the protection of the tariff equally with everybody else.

Mr. LAGUARDIA. We agree to that, but you are not doing that with respect to brick and cement, according to the gentleman's own statement.

Mr. CHINDBLOM and Mr. SCHAFER of Wisconsin rose.

Mr. HAWLEY. I yield to the gentleman from Illinois.

Mr. CHINDBLOM. I understood the gentleman from Oklahoma [Mr. McKEOWN] to be disturbed about the constitutionality of this proposed act because of the use of the words "to protect American labor"; is that right?

Mr. McKEOWN. I asked the gentleman why you had inserted that phrase in the bill when it had never been in any other bill. I asked him why you had the temerity now to insert that language in this bill.

Mr. CHINDBLOM. Why does the gentleman think it might affect the constitutionality of the bill?

Mr. McKEOWN. Because by inserting that phrase in the bill you are treating labor as a commodity, and the Supreme Court has held in the tax case on labor in North Carolina that you can not regulate labor under the guise of taxation.

Mr. CHINDBLOM. The gentleman is evidently floundering in a misunderstanding as to the effect of language in the title of a bill that is passed by the Congress. It is true that in the States the title may have an effect upon the constitutionality of an act. In Illinois, as in many other States, the act must be within the purview of the title, but that is not so in the enactment of a law by the Congress.

Mr. McKEOWN. The gentleman admits, then, that there is nothing in this bill that has to do with labor except the tariff rates?

Mr. CHINDBLOM. Nothing but the protection of labor, my good friend—that is all.

Mr. McKEOWN. Will the gentleman explain why this language is suddenly put into this bill when it has always been so zealously kept out of other bills?

Mr. GARRETT. For campaign purposes—I will answer the gentleman. They want to use that in the campaign.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. HAWLEY. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. It is well known and the testimony before the Ways and Means Committee indicates that the calf leather-tanning industry is in a precarious financial condition, due to excessive importations of cheaply produced foreign leather. Will the gentleman inform us why calf leather was retained on the free list?

Mr. HAWLEY. That is the old story covering the tariff acts of 1909 and 1922, where it seemed to be the policy of keeping hides, leather, and shoes together on the free list.

Mr. SCHAFER of Wisconsin. The calf-leather tanners are practically bankrupt and should have tariff protection.

Mr. HAWLEY. If there is a duty on hides, undoubtedly there should be a compensating duty on leather and shoes.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. HAWLEY. I yield to the gentleman from New York.

Mr. CLARKE of New York. It seems from the testimony in the shoe industry that American machines were taken to Europe, in Czechoslovakia, for instance, where there is cheap labor, and the importation of shoes from those countries have come in here by millions, and in the last 10 months of 1928 an increase of 76 per cent. Why, under your statement of policy for tariff protection of labor, was not a tariff put on shoes?

Mr. HAWLEY. My personal opinion might differ from that expressed on the bill as reported. The committee decided the policy.

Mr. HUDSPETH. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. HUDSPETH. The testimony before the committee showed that this coarse grade of wool came into competition with other wools, notably mohair, and yet you have reduced the duty from 31 to 24 cents.

Mr. HAWLEY. That was based on the value. There was a demand for a 34-cent duty, but it did not appear to be justified by the facts.

Mr. HUDSPETH. The committee knows that this very wool that you reduce the duty on from 31 cents to 24 cents comes into competition with mohair produced in my district and in the district of the gentleman from Texas [Mr. GARNER]. That is the chief competitor outside of rayon.

Mr. RAMSEYER. If the gentleman will yield, the representative of the Wool Growers' Association which includes the growers of Texas, agreed that this wool which is used in the manufacture of cheaper cloth should come in at a lower rate of duty. It has the indorsement of the Wool Growers' Association. It is used in the manufacture of cheaper cloth for people who can not afford to pay the higher price.

Mr. HUDSPETH. Did not he say that he had no knowledge of mohair when asked if wool did not come in competition with mohair?

Mr. RAMSEYER. I do not recall his answer to that question.

Mr. HUDSPETH. The gentleman from Texas and my county protested against the reduction of the duty on this specific kind of wool because it did come in competition with mohair.

Mr. RAMSEYER. I have no recollection about that, but I do know that the manufacturers of woolen goods and the Wool Producers' Association agreed that there should be a reduction in duty on the grade of wool of 44's and coarser.

Mr. BURTNESS. Will the gentleman from Oregon yield?

Mr. HAWLEY. I yield to the gentleman.

Mr. BURTNESS. Does the gentleman intend to discuss the flexible provisions of the act? If so, I will delay my question.

We know that the main change in this provision from that of the Fordney-McCumber bill is that before the President can make a change in the schedule there must be an investigation of the conditions of competition in the markets of the United States. I take it that the committee has investigated the legal situation carefully so that they are satisfied that if a change is made and it becomes a law that the decision of the Supreme Court would have control over this.

Mr. HAWLEY. The attorney for the Department of Justice assisted in the preparation of that language.

Mr. BURTNESS. We all recognize the importance of maintaining a very specific guide, whether it be with reference to the cost of production or competitive marketing conditions or anything else, and I am wondering whether the committee have paid close attention to the fact that in defining the terms of production under the flexible provisions of the act they have set out several elements but have added as subsection (D) of (6), page 197, of the report:

> And such other factors as the President may deem applicable.

There is no such language in the Fordney-McCumber Act, and I am such a thorough believer in the flexible provisions of the act that I should hate to see anything included in it which might be open to serious constitutional question. I am wondering if the chairman of the committee or some one else could enlighten us on the subject of whether the addition of these factors, the addition of that discretion of the President, not specifically set out in the act otherwise, will endanger the constitutionality of the act.

Mr. HAWLEY. As I stated before, a representative of the Department of Justice participated from the beginning in the revision of these administrative provisions, and found no objection to that from the standpoint of its constitutionality.

Mr. BURTNESS. I hope the gentleman will give consideration to it.

Mr. HAWLEY. I think it is worthy of careful consideration.

Mr. CHINDBLOM. Mr. Chairman, if the gentleman will permit, with reference to the inquiry of the gentleman from North Dakota [Mr. BURTNESS], the committee had before it the decision of the Supreme Court involving the constitutionality of the flexible provisions of the present law, and we examined it in detail, and we thought then and think now that the language of that decision will support the language of the present proposed change in the law.

Mr. HAWLEY. That is true.

Mr. ALLGOOD. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. ALLGOOD. Have the increases in the various schedules that have been made been confined to agricultural products?

Mr. HAWLEY. No.

Mr. ALLGOOD. As I understand it, the President wanted relief given to the farmers.

Mr. HAWLEY. That is true. We have given relief to the farmers, but we did not omit our duty to other people in the United States.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. MICHENER. Along the line just inquired about by the gentleman from North Dakota [Mr. BURTNESS] I call the gentleman's attention to a remark made in the Senate yesterday when this matter was under discussion:

> Mr. BORAH. The subject which the Senator is discussing is interesting, and it is particularly so because in my judgment the remedy lies with the Congress; that is to say, the Supreme Court of the United States has rendered an opinion which would permit the Congress to delegate our power entire to the President if we were subservient enough to do it.

Mr. SPROUL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. SPROUL of Kansas. I assume that the gentleman's committee had no trouble whatever in finding industries that needed to have the duties affecting them raised to protect them against foreign competitors.

Mr. HAWLEY. We did not find them. They came to us.

Mr. SPROUL of Kansas. Surely. I wish to ask the gentleman if any effort was made by his committee to find industries which had more protection and a higher duty than they needed, which enabled them to produce exportable surpluses for foreign countries beyond the requirements of domestic consumption. Was there any effort made to locate such industries?

Mr. HAWLEY. Several of them came to us. Agriculture was a notable instance. They had an exportable surplus of corn, wheat, and various other things which they could not get rid of.

Mr. SPROUL of Kansas. Were they asking that duties be lowered?

Mr. HAWLEY. No.

Mr. SPROUL of Kansas. The point I make is did the committee seek to know whether there were any industries of a manufacturing character which had higher duties than they needed to protect them against foreign competition?

Mr. HAWLEY. A number of such instances were cited to us during the course of the hearing, but as I stated awhile ago, and I think it is the opinion of the committee, wherever the producer on the American side and his foreign competitor made no objection to an existing rate it was supposed to be operating fairly. Otherwise one or the other of them would have appealed for a change.

Mr. SPROUL of Kansas. Let me call the gentleman's attention to the fact that our Government is employing traveling salesmen or agents to tour foreign countries, seeking markets for our exportable manufactured surpluses. Would not the gentleman assume that in every such instance the protective tariff duty was unnecessarily high?

Mr. HAWLEY. Not necessarily. They might be finding markets in a country that had no manufacture of those commodities.

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. LOZIER. In view of the added cost to the American people because of the increase in the tariff on sugar, I ask the gentleman whether he thinks it within the possibility or probability that we can within a generation produce in continental United States anything like a supply of sugar adequate for our peacetime needs, in view of the fact that we are now producing only about one-quarter or one-fifth of the peacetime demand for sugar, and in view of the further fact that the beet sugar which is produced in this country is produced very largely by Mexican labor, a type of labor that many self-respecting American laboring men will not engage in, because they have to get down on their bellies——

Mr. HAWLEY. If the gentleman would kindly ask his question and make his speech some other time I would be very glad.

Mr. LOZIER. Does the gentleman think the time will ever come when a self-respecting American workman will get down on his belly and knees and crawl over 160 acres of farm land weeding sugar beets? Is not that a type of labor that the American laborer will never lend himself to, and is there any chance of producing in continental America——

Mr. HAWLEY. I think that within a reasonable time we will produce more than half of our sugar. As to the American laborer not doing the work I believe we can find laborers who will do any kind of honest work for a proper compensation.

Mr. DENISON. Mr. Chairman, will the gentleman yield there?

Mr. HAWLEY. Yes.

Mr. DENISON. Heretofore the policy has been to put leather and hides and shoes on the free list?

Mr. HAWLEY. Yes; hides, leather, and shoes have the same status. They have been on the free list.

Mr. DENISON. Was evidence offered before the committee during your hearings on this bill to the effect that shoes in any considerable quantity were being imported?

Mr. HAWLEY. Yes; women's shoes are coming in, and also men's shoes. It is rather a new element of competition.

Mr. DENISON. I am glad the gentleman has made that statement. That competition, as I understand, is getting to be serious, particularly in ladies' shoes. Did the manufacturers ask for a tariff on ladies' shoes?

Mr. HAWLEY. Yes.

Mr. DENISON. Was it stated that certain kinds of leather were being brought here in competition with our domestic leather?

Mr. HAWLEY. Yes.

Mr. DENISON. Was a tariff asked on that?

Mr. HAWLEY. Yes.

Mr. DENISON. Of course, a tariff has been asked on hides for some time. Does the gentleman think the time has come when that condition ought to be met by some sort of protection?

Mr. HAWLEY. If a tariff is put on hides, a tariff should be levied on shoes.

Mr. DENISON. Does the gentleman think that will be done?

Mr. HAWLEY. That is a question that will yet be decided by a body other than myself.

Mr. DENISON. The gentleman does not care to express his own views?

Mr. HAWLEY. I have no objection to stating my own view. In the discussions on the tariff bill in 1922, as the gentleman remembers, I opposed the duty on hides because I thought it would cost the farmer more than any benefit he would derive. I have held that wherever there are manufacturers in this country who need protection and they prove their case there would be just ground for granting that protection. In harmony with that proposition it would seem that manufacturers of shoes and manufacturers of leather should be protected.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield there?

Mr. DENISON. Yes.

Mr. CROWTHER. In regard to the importations of shoes, they are largely ladies' shoes in a great many instances. The importations into the United States were a small percentage of the production, but in this case the importations happen to compete with a certain group of American manufacturers who make women's shoes. The makers of men's shoes were not anxious for a duty. I may mention the fact that Mr. Florsheim made a profit of $2,500,000 last year after setting aside money necessary for taxes and obsolescence and depreciation. Neither he nor other manufacturers have asked for a duty on men's shoes because there is no appreciable importation of men's shoes. Canada holds a 17½ per cent duty against us in sole leather. If the policy of a protective tariff has a sound basis, and I hold that it has, there ought to be a duty on hides and a compensatory duty on leather and shoes. [Applause.] There is no excuse for its not being there. The suggestion has been made many times that it would be of no particular benefit to the farmer; but, I repeat, if the policy is a sound one it ought to apply all along the line.

Mr. SCHAFER of Wisconsin. Does not the evidence indicate that the tanning industry is very nearly bankrupt because of the excessive importation of foreign leather?

Mr. CROWTHER. Yes. I know that leather manufacturers have run in the red at the rate of millions of dollars a year, and if there is any business that is being depressed by foreign competition, the leather industry is one of them. I hope in their wisdom the Members of this House will go forward in a united effort to favor the farmers and stockmen and see that there is a duty placed on hides and a compensatory duty on leather and shoes. [Applause.]

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. GREEN. We had hoped to obtain a tariff on pine-tar and naval stores products. That is an important industry in the Southeast.

Mr. HAWLEY. The only answer I can make now to that is that evidently the necessity for the duty on them was not proved.

Mr. COX. Will the gentleman yield there?

Mr. HAWLEY. Yes.

Mr. COX. The gentleman in his statement has several times used the expression "compensatory rates." Does he mean by that that specific rates of duty should always increase as the commodity advances in stages of manufacture?

Mr. HAWLEY. In measuring a compensatory duty—taking raw wool, for example—it costs a certain amount to manufacture it into yarn. That new value is the product of the spinner, and his product is used by the cloth manufacturer as his raw material.

Mr. COX. If that is the rule on which the principle works and as it is sought to be applied by the committee in this case, then where is justification to be found for putting a specific tax upon burlaps 82 per cent lower than the yarn out of which it is woven or spun?

Mr. CROWTHER. That is for the benefit of the farmer. He has bags made out of that material, and it is for his benefit.

Mr. COX. It is not for his benefit.

Mr. CROWTHER. It is absolutely for his benefit. It makes the cheapest and best bag of its kind made. Of course, there are cotton bags made. That question was sent out with other propaganda by Mr. Leavelle McCampbell. He was the author of that question, and not the gentleman from Georgia.

Mr. HUDSPETH. Will the gentleman yield so that I may ask a question of the gentleman from New York [Mr. CROWTHER]?

Mr. HAWLEY. Yes.

Mr. HUDSPETH. I see there is a 15 per cent duty on all articles manufactured out of calf hides, cattle hides, and so forth. Would not that mean a duty on boots and shoes that come into this country?

Mr. CROWTHER. No. The only duty on leather is on types of leather not used in shoes.

Mr. HUDSPETH. This says all articles manufactured out of the calf hide or beef hide.

Mr. CROWTHER. No; that is not so.

Mr. HUDSPETH. It is in the bill somewhere. If it means a duty on manufactured articles then you and I would be in favor of a duty on hides?

Mr. CROWTHER. Absolutely.

Mr. HUDSPETH. Then a duty on hides should be in this bill?

Mr. CROWTHER. It ought to be.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. WHITTINGTON. I would like to ask the chairman of the committee why the request of the growers of long-staple cotton in the South and Southwest, including the States of New Mexico, Arizona, and California, were denied their request for a reasonable tariff on long-staple cotton?

Mr. HAWLEY. That was the subject of investigation in the field by one of the subcommittees, and after a careful investigation the conclusion was, after all this inquiry and consideration, as well as of the gentleman's eloquent plea, that the case was not proven.

Mr. SLOAN. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. SLOAN. I understand this session was called largely in the interest of the farmer. I think the livestock is one of the largest interests of the farmers of this country. It involves hide production one way or another. Now, I will ask the chairman if the various witnesses who came before the committee—that is, spokesmen representing the farmers—expressed any objection whatever to a reasonable duty on hides; and if it is not a fact that everyone who did come before the committee on the subject of hides expressed the wish—I mean, of the people interested—for a duty on hides.

Mr. HAWLEY. Those who appeared in the interest of agriculture and of stock growing proposed a duty on hides. Those who used the hides for manufacturing purposes were willing generally—there were some exceptions—to see a duty on hides if there were proper compensatory duties put on leather and manufactures of leather.

Mr. SLOAN. Will the gentleman go farther and give some specific reason why this was not accorded to this very large industry throughout the country, an industry not only very much interested now but an industry which has been deprived of protection, as I think absolutely unjustly, since 1909?

Mr. HAWLEY. Well, that is a long story to undertake to tell at this time. I respectfully refer the gentlemen to some remarks I made in 1922, which are in print and available.

Mr. BANKHEAD. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BANKHEAD. The gentleman from Oregon has not lost sight of the fact that by unanimous consent of the House he has been permitted to use all the time he desires to conclude his address, and the gentleman from Nebraska has asked the gentleman from Oregon, the chairman of the committee, a very interesting question and many of us on both sides of the aisle would like to have an answer to it even if it is a long story.

Mr. HAWLEY. It will be told in the course of the debate. There is another gentleman to follow me and I desire to give him the opportunity to take the floor.

Mr. CRISP. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. CRISP. My chairman will recognize that we of the committee did not have an opportunity this morning to ask any questions of our colleagues on the committee and I would like my chairman to answer one question if he will. In reply to the gentleman from Mississippi [Mr. WHITTINGTON] he stated that the request of the growers of long-staple cotton failed to make out a case whereby you could give them a duty on it. I suppose the New England manufacturers who use this cotton to manufacture thread and higher grade cotton made out their case because you gave them an increase over the rates they already have. Is not that true?

Mr. HAWLEY. Those who made out their cases to the satisfaction of the committee obtained relief.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. CHINDBLOM. There was one small voice that at times was very dimly heard and did not appear in all the hearings. It was not the voice of the grower of hides nor the manufacturers of shoes, but it was the small, unheralded consumer who buys everything that is grown and made in the United States who occasionally got consideration.

Mr. HAWLEY. I thank you, gentlemen. [Applause.]

I desire to commend to the House and to the country the diligent, able, and effective service of my Republican colleagues on the committee. With an untiring industry and a singleness of devotion to the public service they cheerfully labored day and night in the preparation of this bill. Their special abilities, careful investigations, and good judgment have distinguished them as public servants of the first order. They deserve the thanks of the country and merit the confidence and approval of the House and especially that of their fellow Republican Members. No body of men could have given themselves more wholly to a public duty in spirit, mind, and body. They have earned the praise of patriotic soldiers of the common good.

The CHAIRMAN. The gentleman from Oregon has used 2 hours and 20 minutes. The gentleman from Texas [Mr. GARNER] is recognized for one hour. [Applause.]

Mr. GARNER. Mr. Chairman, ladies and gentlemen of the House of Representatives, I wish I felt a little better physically than I do at present in order that I might, perhaps, more effectively handle this situation.

The gentleman from Oregon [Mr. HAWLEY] in the beginning told you why this bill is before the Congress, and if I understood him correctly, it was on account of the discussion of the relief proposed for the agricultural interests in 1927 and 1928, and that as a result of such discussion it was determined by the people of the United States that such relief be extended. In response to this determination the Republican Party promised a revision of the tariff in the interest of agriculture.

I agree with the gentleman about that; but I wish to refresh his memory and call the attention of the House and of the country to the basis of this agitation and how it was brought about and how the country became impressed with the fact that agriculture is not receiving at the hands of the Government proper consideration in the matter of the economic laws of this country as they apply to the customhouse.

Mr. Chairman, I understand that under the rules I may speak of a Congress that has passed, although I can not speak of another body as it exists at present. I can refer to the individual Members of that body as it existed a year or more ago.

A little more than a year ago farm relief bills were passed, sent to the President of the United States, and received his veto. The Republican majority in the House and the Republican majority in the Senate, having a Republican in the White House, were unable to give relief to the American farmer.

These men believed that the American farmer should have relief, not only by the bill that they passed and sent to the President but that the farmer should have further consideration with reference to the tariff, not only in increased rates on agricultural products but by another method, and I want to call your attention to this particular method.

On January 16, 1928, in the Seventieth Congress, a Senator of the United States by the name of McMASTER introduced a resolution in that body, and I will read it for the benefit of the House and insert the vote for fear some of the older Members have forgotten it and some of the newer Members never knew about it:

McMaster resolution

Resolved, That many of the rates in existing tariff schedules are excessive, and that the Senate favors an immediate revision downward of such excessive rates, establishing a closer parity between agriculture and industry, believing it will result to the general benefit of all; be it further

Resolved, That such tariff revision should be considered and enacted during the present session of Congress; and be it further

Resolved, That a copy of this resolution be transmitted to the House of Representatives.

VOTE IN SENATE

Yeas 54: Ashurst, Barkley, Bayard, Black, *Blaine, Blease, *Borah, Bratton, *Brookhart, Bruce, *Capper, Caraway, Copeland, Dill, Edwards, Ferris, *Frazier, George, Gerry, Glass, Harris, Harrison, Hawes, Hayden, Heflin, *Howell, King, *La Follette, McKellar, *McMaster, Mayfield, Neely, *Norbeck, *Norris, *Nye, Overman, *Pine, Pittman, Reed of Missouri, Robinson of Arkansas, Sheppard, *Shipstead, Simmons, Smith, Steck, Stephens, Swanson, Thomas, Trammell, Tyson, Wagner, Walsh of Massachusetts, Walsh of Montana, and Wheeler.

Nays 34: Bingham, Broussard, Couzens, Curtis, Cutting, Dale, Deneen, Fess, Gillett, Gooding, Gould, Greene, Hale, Johnson, Jones, Kendrick, Keyes, McLean, McNary, Metcalf, Moses, Oddie, Phipps, Reed of Pennsylvania, Robinson of Indiana, Sackett, Schall, Shortridge, Smoot, Steiwer, Warren, Waterman, Watson, and Willis.

NOTE.—Thirteen (*) Republicans voting yea.

The older Members of this House, those who were Members of the Seventieth Congress, will recall this resolution coming to this body. They also will recall the fate of that resolution.

This was the beginning of the Republican Party's consideration of the necessity of revising the tariff, and the basis of it was that the rates in the present law were excessive.

Thirteen members of the Republican Party voted for this resolution. I will call their names and see if you can remember if any of them are Members of the Senate at the present time; because I am referring to them now as Members of the Seventieth Congress, and not as Members of the Seventy-first Congress:

A Senator by the name of BLAINE, a Senator by the name of BORAH, Senators BROOKHART, CAPPER—I see some Kansas people here; I believe he is from that State—Senators FRAZIER, HOWELL,

LA FOLLETTE, MCMASTER, NORBECK, NORRIS, NYE, PINE, and SHIPSTEAD. [Laughter.]

Gentlemen, I have called the roll. I want to know whether these gentlemen properly expressed the sentiment of their States. Do the people in those States believe that the rates in the present tariff law are excessive?

I was amused at Mr. HAWLEY's answer to this. He said nobody objected to the present rates. And then we have at the end of his speech a statement by the gentleman from Illinois [Mr. CHINDBLOM] that there was a great mass of undercurrent thought that was faintly heard—the consuming public; but I do not think Mr. HAWLEY had this in mind, because the gentleman stated that he did not give consideration to anything except where some one wanted some favor. This was the sum and substance of his statement.

We have now the genesis of this particular bill.

The campaign came on, the question of the tariff came up in that campaign and the Republican candidate for President promised to call a special session of the Congress. And what was he to call it for? For the relief of agriculture; in two ways—a marketing system, which bill has already passed this House and gone to the Senate, and relief through the operation of the tariff.

We have now come to the point where your promises have been made and you are now going to perform; and this bill is the result of your promises. In the light of those promises I want later on to analyze this bill a little.

I want to show now in whose hands is placed the duty of revising this law in the interest of agriculture. I want to illustrate this by showing you a map to indicate to you where the Republican members of the Ways and Means Committee, the board of directors, interested in agriculture come from, and who are taking care of this situation that has been demanded by agriculture. I want to show you, if I can, and to impress upon you, the surroundings of these gentlemen to see whether you think they are a fair and impartial jury for the fulfillment of this determination. [Laughter and applause.]

Gentlemen of the House, you men who have been here a long time and who were Members of the Sixty-eighth, Sixty-ninth, and Seventieth Congresses, will remember that in the discussion of one of the revenue bills a very distinguished statesman, a man whom we all respected and loved, a Republican but a valuable Member of the Congress, who has gone to his reward, Mr. Madden, of Illinois, announced on the floor of this House, in discussing the internal-revenue rates that should be applied, that he wanted the country to know that the board of directors of this Nation, the Republican members of the Ways and Means Committee, a majority of them, lived east of the Mississippi and north of the Ohio River.

That was the declaration that went to the country in order to tell them not to be alarmed. It was to the effect that these "western bolsheviks," these insurgents that come from the West, even though they may combine with those south of the Ohio, will have no effect in forming the policies of this Republic. [Laughter.]

Why, gentlemen, the Democrats have to make up their committees as well as you Republicans have to make up yours. We have to elect in our caucus the Democratic members of the Ways and Means Committee. I believe you select them by a different method. We elect them and we have a rule that is a good rule and which ought to apply to your party, and that is that we do not allow any State to have more than one Representative on that committee. It is too important. Although the great State of New York has 22 Democratic Members in this House our caucus would not permit them to place another man on the committee.

But what do we find on the Republican side of the House? We find that when the Republicans came to select their members on the Ways and Means Committee that the Members east of the Mississippi and north of the Ohio have a substantial majority—11 out of the 15. Eleven members of the Ways and Means Committee wrote this bill, and they propose to keep you from amending it or even having an opportunity to amend it. Eleven of them live in that sacred territory east of the Mississippi and north of the Ohio. They constitute the directors which Mr. Madden said could be depended upon to take care of the direction of this Government.

Look up here [indicating on the map]; you can cover the territory on the map with your hand they are so close together.

I see the gentleman from Massachusetts, whose heart is yearning for the farmer. During the hearings, when the farmers were presenting their case, he seemed to be much concerned about it. I could almost see the tears rolling down his cheeks in the interest of the farmers. [Laughter.]

We see the bill written, not in the spirit of this resolution passed by the United States Senate, which 54 Senators voted for and 34 against. And let me say that the 54 who voted for the resolution are in favor of adequate protection to every industry in the United States. That is all they want and all they said they wanted. It is apparent to every man in this room that the great majority of rates in the present law that have been increased in this bill are excessively high and ought to be reduced.

There is not a man who in his heart does not believe that there are rates in this bill—especially the chemical and metal schedules—that are unconscionable, which nobody can defend.

I want to refer again to this map. Here is where the demand for the bill came from [indicating on the map]. This little section [indicating on the map] is going to say to the country that you can not amend this bill—we made the bill and you take it. The Republican members of the committee will offer some amendments, but 11 men will determine what amendments will be offered.

Look at California—not a man on the committee, while they have two from New York. California is a great State, with a population smaller than New York, but a good deal larger in area. In fact, three-quarters of the area of this country had absolutely no voice in the writing of this tariff bill.

Yet you tell me I ought not to protest; that the country ought not to protest against such treatment of the balance of the country.

Pennsylvania has two Republican members on the Ways and Means Committee. Just look at that map and see for yourselves. Massachusetts has one; New York, two; one from Rhode Island; one from New Jersey. They are all brothers right up there together, and then all they have to do is to drop down to Ohio and they can kick the rest of them in the ribs, because they have a majority.

SEVERAL MEMBERS. Give us the names.

Mr. GARNER. Oh, I would just as soon mention their names in the RECORD, although they get in there more often than they ought to. Here are your 11 men east of the Mississippi and north of the Ohio: CROWTHER and DAVENPORT, of New York; ESTEP and WATSON, of Pennsylvania; CHINDBLOM, of Illinois; TREADWAY, of Massachusetts; ALDRICH, of Rhode Island; BACHARACH, of New Jersey; KEARNS, of Ohio; MCLAUGHLIN, of Michigan; and FREAR, of Wisconsin. And you have four men from the West—one each from Colorado, Oregon, Washington, and Iowa. Those are the only four States that have representation in all that great territory west of the Mississippi.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Not just now; if the gentleman will pardon me. I am talking about matters of organization, and I believe I will go on for a moment without interruption.

Mr. SCHAFER of Wisconsin. Will the gentleman put in the RECORD at this time how many Democratic members of the Ways and Means Committee are from west of the Mississippi River?

Mr. GARNER. Yes; I will do that. We have only 10 Members on the Committee on Ways and Means, and let me tell you what the Democrats did.

Mr. CRISP. And we were not permitted to help write the bill.

Mr. GARNER. As my friend from Georgia suggests, we were not permitted to help write the bill, and it makes no difference where we live.

Mr. SCHAFER of Wisconsin. How many——

Mr. GARNER. Oh, I decline to yield now. I will be frank with the gentleman. I want to make an intelligent statement, and I want it to be understood. The Democrats had to fill some vacancies on the Ways and Means Committee. The Democrats have only 163 Members in this House, and a large portion of those come from the South, very few from up North, I am sorry to say. But the South tries to be frank and honest and fair with the entire country, and the result was that when we selected the Democratic members of the Ways and Means Committee, the most important committee of all, we went to the State of Washington, and there is only one Democratic Representative from there. There are 16 or 18 Representatives from Texas and twenty and odd from New York, but we went to the State of Washington, and we went there to give that section of the country a place on this committee in the interest of fairness, in the interest of proper representation of the entire country.

Where did we go to fill another vacancy that occurred by death of a Member from Louisiana? The South could justly have claimed that place because a Southern Member had died. There are only 10 Democratic Members on the Committee on Ways and Means. We already had 6 from the South It was not right not to recognize the North, and we gave the assignment, caused by that vacancy, to a man from Indiana, where we have only 3 Democrats in the delegation.

We like to be fair, and we want to treat the country right. We appeal to you to follow our example and give us fair play on this committee. [Applause on the Democratic side.]

If you will not treat the country fair by making up your own committees, then in the name of conscience and good reasoning and fair play, treat us right by giving us a fair opportunity to consider this measure which these 11 men have brought into this House. I want you to do it.

You are going to have a conference to-morrow of the Republicans in this Chamber. Very well; I believe in conferences; I believe in caucuses. I believe in binding the people to vote the way the party majority or two-thirds of it want them to vote. I believe in that. You Republicans say you do not. Mr. TILSON says that he does not want to gag anybody; but, Mr. TILSON, you are gagging everybody if you do not let us consider this bill. You say you do not believe in applying the gag rule to your side of the House, but you are applying it to every Member of the House of Representatives, not only to the Democratic Members but to the Members on your own side, when you decline to give us an opportunity to consider this bill under the 5-minute rule.

You see now the source from which this measure comes; let us see what they brought forth.

I was amused at the gentleman from Oregon [Mr. HAWLEY] when questions were asked him that were difficult to answer. In fact, there was no answer. He just simply said: "Well, they just didn't make out a case."

I thought about it when the gentleman from Mississippi asked him the question about long-staple cotton. If there ever was a case in this country where competition, if that is going to be the basis of it and the building up of an industry to supply the American market also enters into it, then long-staple cotton is that case. The testimony before the committee was conclusive, and no man will deny that this country can produce—if it could get the price, and that is what you levy a tariff for—every pound of long-staple cotton that this country can use. You decline to give a tariff to the grower of long-staple cotton, and at the same time, at the demand of the manufacturer, you increase his tariff, who uses that identical cotton—all in the name of the farmer, to benefit agriculture—increasing the farmer's cost for the finished product without giving him the slightest benefit.

I shall be able to show many instances of that kind in this bill when the proper time comes, when we come to discuss a particular schedule. It comes right home to you in your cement and brick schedule. There are numerous instances where you could have levied rates in the bill that would have protected the farmer; that would have given him the exclusive American market, as you are going to give the manufacturer, to the latter's great benefit, at the expense of the American consumer; you increase the manufacturer's rate and decline to do the same for the farmer, and yet you sit here in this House, called together by the President of the United States under a promise that you would relieve agriculture by undertaking a revision, or a modification, or a limitation, or a readjustment, or whatever you may term it, of the tariff act, and you have not done it!

I am going to take up the first schedule, and I can illustrate it right there.

Before I proceed to discuss the first schedule of this bill I want to refer to a statement made by the gentleman from Oregon [Mr. HAWLEY] as to the amount of agricultural products to which he could apply his rule. He gave you the amount of imports into the United States for 1927, did he not? He gave you the amount of exports. He also gave the amount of imports and exports in 1928. I want to illustrate to you what seems to my mind the absolute conclusive proof that agricultural interests have not had proper consideration at the customhouse, have not had it in the present tariff law, and are not given it in this bill.

Remember, now, there are $4,163,000,000 imports, as I recollect, coming into the United States for that year.

Mr. STEVENSON. Agricultural products?

Mr. GARNER. No; total products coming into the United States. It was $4,163,000,000, as I recall. Now, what were they? On May 2, this year, I requested the Commerce Department to furnish me with a statement of the amount of imports into the United States of agricultural products, raw and manufactured. I am going to put it in the RECORD. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARNER. This is under date of May 2, 1929. This is from H. O. P. Hopkins, Acting Director of the Department of Commerce.

Total for all general imports of agricultural products, 1927, $3,257,798,000.

Now, gentlemen, you can figure and take testimony and hear liars and embellishers and anybody you want to; but the best witness there is relative to the tariff is the customhouse, showing how much comes in and how much does not come in. If you compare the production of commodities in this country and the importations, you have the most reliable index as to what the rate should be. If you have such a condition as at the present time, under the existing law, wherein under the metal schedule alone there is shown to be $35,000,000,000 of production and $161,000,000 of exports and the pitiful sum of $31,000,000 of imports, do not you know that those rates are prohibitive, with less than one-tenth of 1 per cent coming in?

You Republicans should turn to your book, this bill, and see the increases in the metal schedule. Listen: There is a billion and a half dollars production covered in one clause of the bill where the duty is increased from 40 to 50 per cent. The basket clause is the heart of the whole thing. When you have placed a duty on practically everything on God's green earth and then think of something else, you put it into the basket clause. And the Republican Party, through its Committee on Ways and Means, with that record of $35,000,000,000, with less than one-tenth of 1 per cent of importations, and with $161,000,000 of exports and only $31,000,000 of imports, have the nerve to increase the basket clause rate from 40 to 50 per cent. Gentlemen, it can not be defended in good conscience. It can only be defended after the campaign contributions come from Pennsylvania, because there can be no other reason for such an unconscionable rate as that. [Applause.]

The chemical schedule, as we all know, is a prohibitive schedule. We have one provision in this schedule for which the Democrats are responsible to some extent; but I know if we were in the majority now we would have sense enough to take it out. During the World War we put an embargo on coal-tar products. Germany controlled the dyestuff industry before the war. About 80 per cent of all dyestuffs were manufactured by Germany. Their commercial methods were deplorable; they were unconscionable. When the year 1922 came along you Republicans did not have the nerve to do that. But you did indirectly what you did not have the courage to do directly. You put an American valuation on coal-tar products and dyes, and under that American valuation nothing can come in. It is impossible.

I want you to turn to your bill and look at this schedule, and especially I want you who represent the dairy people to look at it. The chemical schedule contains an item of casein. I do not know whether you have heard much about it or not. I had not heard much about it before the hearings were had. I know the dairymen have to take care of their milk in some way. Now, what is casein? What is it made of? Who produces it, and who consumes it? All those things have to be considered when you come to the consideration of a tariff bill. Casein comes from the cow. It is made from skimmed milk. It is used by paper manufacturers in glazing paper.

Now, what are the facts in the case? The facts are that Argentina sends to this country about 50 or 60 per cent of the casein used in the manufacture of paper. In other words, the makers of casein in this country have keen competition, if you call foreign imports amounting to 50 or 60 per cent keen competition.

The dairy people appeared before the committee and presented their case. They showed that there were 10,000,000,000 pounds of milk—not according to their statement, but according to figures of the Agricultural Department—wasted in the United States each year, thrown away. They said, "Give us a duty of 8 cents a pound on casein and we will produce every bit of it, and we will have the American market," like the textile and steel industries have now. I thought they made a good case. If I had possessed the power of giving them a rate, I would have given them 6 cents, because people always ask for a little more than they usually need, whether they are farmers or manufacturers. As the industry is in an experimental stage I would have put on a rate of 6 cents. But what did the Republican members of the committee do? They did not give them anything, and why did they not give it to them? Read it; read it in the report. It is a glaring instance of what was in the minds of the Republican members of the committee when they wrote this bill. They said they did not give it to them because they did not want to make the paper manufacturers pay the price. They do not care for the farmer or the consumer unless

he is a rich manufacturer who contributes to the Republican campaign coffers. [Applause.]

Then there was another reason they gave, and it was such a silly one that nobody should have put it in this report or given any sanction to it. Do you know the reason why the manufacturers of paper said you must not increase that duty? It was, they said, because cow's milk in the United States does not make as good casein as cow's milk in the Argentine. [Laughter.] It is in the record, and this bunch over here, the Republican members of the committee, repeated it in their report. [Laughter.]

What do you think about cow's milk in America not being as good as cow's milk in the Argentine?

In addition, they drew an indictment in their report against the genius and progress of the American business man which I resent. We have as good intellect and organization here as there is in the world, and yet they say in this report that one of the reasons why they did not give additional protection to casein was that they had a better organization in the Argentine to produce casein than they have in the United States.

Do you not think we can get up as good an organization as they have in the Argentine? According to your general statements we have beaten everything in the world, and yet when you want to serve your special interests you give the excuse that little old Argentina has a better organization than we have here in the United States.

But you increase rates to close every other loophole. There are just one or two little things in it where there is a leak. One drop falls about every four days through the customhouse and you have stopped it up. That schedule is just as prohibitory as the steel schedule is. Is it in the spirit of that Senate resolution that said the rates were excessive? Has there been any response, on the part of this committee, to the sentiment expressed in that resolution and concurred in by many on your side of the Chamber when it was passed by the Senate and tabled in this House? Many of you believed then, as you believe now, that many of these rates are excessive. If you had left them where they were it would have been bad enough. If you had left the Fordney-McCumber rates where they are at the present time and had given agriculture what it ought to have I would have voted for this bill. [Applause.] It would have been better than the present law and I would have voted for it. That is what I asked you to do, and all I asked of the committee was to accomplish what it set out to do, to give to agriculture rates comparable with those granted manufacturers.

If I had my way I would have cut down some of the rates. But I could not accomplish that, and I thought you would have the decency and good judgment to raise agriculture to a position comparable with the manufacturers. If you had done that, I intended to vote for the bill. But you did not do it. Instead of doing that you gave agriculture one or two little tidbits and stopped up every manufacturing leak in the country, all of which will cost the American people not less than $300,000,000 or $500,000,000 additional on the things they have to buy.

I am going to figure out, with the assistance of some gentlemen who understand it, a comparison of this bill with the present Fordney-McCumber law and see how much benefit the farmers receive and how much additional they must pay. I want to put it in the RECORD just like it was put in two or three years ago, when the farmers were undertaking to show that you people from the East had better give them relief or they were going to tear down this protective tariff system in the East. They were going to do it and then you yielded and influenced them into supporting you, and you come in here at this session of Congress under the pretense of relieving American agriculture, but instead of doing that you take a new hitch on the protective tariff system for the manufacturers.

Mr. Chairman, I want to tell you something that I could not do. I did not dream the Republican members of the committee were going to submit the proposals they have; but I could not support this bill even if it carried the rates in it that I would write, and I want to say also that if I had the privilege to sit down and write the rates in this bill, and it was to be the law, I would give adequate protection to every industry in the United States just as far as my intellect would permit.

I would treat everybody alike. I would not have sectional protection and class protection and protection for special interests. I would have labor protected all the way down the line, whether the laborer was a farmer, a mechanic, or a man working in a shop. I would treat all alike, but you do not do this.

Let me show you something that is contained in this bill that makes it indefensible. We have at present what are known as sections 315, 316, and 317. Sections 315, 316, and 317 are known as the flexible provisions of the tariff. No man has ever defended this as a proper policy of the Government.

I see the gentleman from Wisconsin [Mr. COOPER] sitting to my left here, one of the elder statesmen of this Nation, and I want him to think over, if he will, how far a legislative body ought to go in surrendering its power of taxation.

I want you all to turn over in your minds and see what it means for Congress, representing the people of America, to surrender its rights to levy taxes.

Remember this, gentlemen: When the legislative body surrenders its tariff power and its obligations to the Executive—under our system of government a majority can do that, but you can never recover them except by a two-thirds vote of the House and the Senate.

Remember that when you surrender this power of taxation you surrender it for all time to come or until the two bodies, by a two-thirds vote, can take it away from the Executive.

If an ambitious man is in the White House, he will not surrender it. If a wise and patriotic man is in the White House, he may have a want of confidence in the Congress, so neither of them would be willing to give up the power; and in this bill you are forever surrendering to the President of the United States the power to increase or decrease, to the extent of 50 per cent, the rates that you are placing in this bill.

In addition to this provision, you also have provided a wonderful way of giving the President information. This is about the way it is done: You say to the President of the United States and to the Tariff Commission: "You just go out now and pursue this policy or that policy—I think there are three or four of them—and when you get through, if you do not know anything about it, guess at it and tell me what to do."

If this is not in the bill, then I do not know how to read. It virtually says: "If you can not come to any conclusion, just render a guess and send it to me."

There is no definite formula by which they are to ascertain even the value, much less exercise the right of increasing the rate.

However, this is not the worst feature or the most vicious provision in the bill, although it is perhaps the worst provision from the standpoint of surrendering the obligations of the legislative branch to the executive branch of the Government; but there is another vicious provision in the bill.

I have heard before the argument that Mr. HAWLEY speaks of, and if it were possible to administer such a law American valuations would be good, but this can not be done. In my humble judgment, you can not administer such a law; but if American valuations could be ascertained, with proper rates applied to them, it would be an excellent system for this country, because you would have to revise your rates and revise them very materially downward. The highest rate you could give on any product would probably be 20 per cent, and certainly not exceeding 25 per cent, if you had American valuation. You have not got American valuation, but I will tell you what you have proposed by this bill—and if this is not correct I want to be corrected by some of the wise Members who belonged to this particular subcommittee.

You have in this bill given power to the Secretary of the Treasury and his subordinates to determine by domestic means the value of any import brought into this country. It is their duty to find out what the value is, but they have authority in this bill, remember, gentlemen, to ascertain the value by domestic measurements. Is not this so? Does anybody on the Republican side know that?

If they did know it they probably would not admit it, but in all likelihood they do not know it because it was written up in the Treasury Department and sent down to them, and as a usual thing they take such pills without even sugar coating them.

This is what you have in this bill: First, you have surrendered your right for an indefinite period to raise or lower the rates, because there will be no occasion for another tariff bill until the American people rebel against the iniquity of what I believe to be the highest and most indefensible bill ever imposed upon the statute books. And you make the Secretary of the Treasury the absolute arbiter, and you have taken away from the courts the opportunity of the parties affected going into court and having them review the action of the Treasury Department.

Did you ever have this in any other law? Do you think this is good law? Do you Republicans think, in the first place, if you persuade yourselves you had better surrender your rights in order to let the President put the rates up or down, that you also want to surrender the right of the judiciary to function?

In one provision you surrender not only the right of one branch of the Government to a second branch but as far as the Constitution will permit you destroy the right of the third branch, the judiciary, to function in the matter.

Why, you might just as well kick the court out of existence. You have no use for the nine men that sit in New York; you have little use for the Court of Customs Appeals. They can go fishing nine months of the year. There will not be anything for them to do. They are up in their work—I have a letter to that effect—so you can not give that as an excuse for taking their functions away from them. You are doing it because you want Andy Mellon to set the values.

When Joe Grundy goes up and says, "Andy, you can't find the foreign value of this; you try to find the American value," and then Joe Grundy will tell him what it is. Joe Grundy can tell Andy Mellon—for he is on good terms with him—the value that ought to be established.

I tell you on my honor that when I approached the question at the beginning of the session and at the hearings I did it with the hope that I might vote for this bill. I wanted to vote for it. Every Member on this side of the House knows it. I was anxious to vote for it, because I thought the tariff ought to be taken out of politics; I wanted to get rid of it as a political question, not only for the benefit of the country, but for the benefit of the Democratic Party and because a large majority of the people are in favor of protection on something. I do not know of a half dozen men in the House of Representatives that are not in favor of protection on something. There is not a United States Senator—and there are 96 of them—that you can find who will say that he is opposed to protection on everything. So, from a practical standpoint, one who believes that the Democratic Party ought to succeed in the control of the country, I was anxious to do what I could to further its interest in that particular.

Somebody asked me the other day, in view of that statement, what is the difference between a Republican and a Democrat on the tariff. Well, I will tell you my conception of it. If I had the writing of the tariff bill, so help me God, I would write it without reference to section, without reference to interest, without reference to anything except the plain application of the difference in the cost of production here and abroad, that labor may maintain its standard of living and agriculture receive adequate protection.

Now let us see the difference. I have shown you the map. The difference is this: That you have a sectional protection. I will show that by the record. I challenge you to go to the record and examine the hearings. The Republicans, one from Pennsylvania and two from Massachusetts, declared it to be the Republican policy of free raw material in Massachusetts and ample protection for the manufactured articles. That is your policy. Besides you will favor one interest as against another interest. That is demonstrated in this bill in a half dozen particulars. Take the milk producers and the rich manufacturers in New England, and who got the pot? New England got it. They got it not on merit, but on account of the men who contribute the most to the organization.

That is the difference between a Democrat who would give ample protection and the Republican who would give the best rate to the section and the interests in making up the bill.

I want to refer to my friend, Mr. BACHARACH. While he was talking I got Mr. Price to go out and get this advertisement, and I am going to advertise the Gillette Safety Razor in the CONGRESSIONAL RECORD. I think it is justifiable under the circumstances. Here is an industry that is in this tariff bill in the metal schedule. I am going to read you something from the report of the board of directors for the year 1928:

GILLETTE SAFETY RAZOR CO. ANNUAL REPORT, 1928

Consolidated balance sheet

ASSETS, DECEMBER 31, 1928

Cash	$8,338,017.70
Accounts receivable	19,669,647.24
Acceptances receivable (see contra)	457,994.87
Notes receivable	267,727.13
Inventories (at cost)	6,006,650.90
Investments (at cost)[1]	6,779,642.22
Real estate and buildings—less reserve for depreciation ($726,990.08)	6,012,998.34
Machinery and equipment—less reserve for depreciation ($4,734,267.72)	4,679,727.17
Patents—licenses property of Canadian subsidiary)	3,616,230.19
Patents (parent company)	1.00
Total	55,828,636.76

[1] Subsidiary companies (excluding Montreal and Slough), which are included in the consolidation, $2,536,770.73; foreign-government bonds, $889,876.15; domestic and foreign corporation, $2,602,190.05; treasury stock and miscellaneous, $750,805.29; total, $6,779,642.22.

LIABILITIES, DECEMBER 31, 1928

Capital stock[2]		$33,309,045.59
Surplus		18,853,570.07
Reserves:		
Taxes	$1,894,111.93	
Advertising	516,525.35	
Contingencies	386,763.80	
Miscellaneous	462,371.20	
		3,259,772.28
Acceptances discounted (see contra)		312,731.88
Accounts payable		93,516.94
		55,828,636.76

EARNINGS, FEBRUARY 11, 1929

The net earnings for the year, including subsidiaries, are, after ample reserves for taxes, depreciation, and all proper charges against operations:

1928	$16,244,429
As compared with—	
1927	$14,580,902
1926	13,311,412
1925	12,089,857
1924	10,122,473

DIVIDENDS

During the year four quarterly dividends of $1.25 each, a total of $5 per share, were paid on the company's 2,000,000 shares.

On October 31, 1928, the shareholders, at a special meeting called for the purpose, authorized an increase in the company's capital stock from 2,000,000 shares to 3,000,000 shares.

From the additional shares authorized a 5 per cent stock dividend (100,000 shares) was paid to shareholders December 1, 1928. This action indicates the policy of the directors of your company to conserve the company's cash resources and at the same time to allow shareholders to participate in the steadily increasing earnings of the company.

FINANCIAL

The policy of your management is to have always available ample cash resources to provide for the continued expansion of the company's business.

It is the policy of your company to finance all of its own requirements without recourse to its credit.

It is interesting to note that bad debts for the year 1928 were $12,025; the 5-year average of this item was $19,381.

The value of your company's investments is considerably in excess of the amounts carried on its books.

SALES

Intensive merchandising of Gillette blades during 1928, in both domestic and foreign markets, resulted in splendid increases in sales. Razor sales were also substantially larger in domestic and foreign fields.

The business in diversified products is gradually increasing, and these lines form a minor but important part of the company's output.

MANUFACTURING

The continued development of automatic machinery and consequent elimination of manually performed operations has enabled your company to make substantial savings in its pay roll and in the cost of production.

Your company's three plants, at Boston, Montreal (Canada), and Slough (England), are operating on a high standard of efficiency and are maintaining the fine quality of Gillette products which is our constant aim.

CONCLUSION

It is a pleasure to record again consistent increases in sales and earnings. Foreign razor orders for 1929 already equal half of the company's 1928 entire output. It may also be of interest for the shareholders to know that the ramifications of the Gillette Safety Razor Co.'s operations are so extensive that they cover the most remote corners of the earth. So broad a market adds great strength to the company in its business. Varying conditions may affect any one of these markets, but never has history shown that all markets were affected alike and at the same time.

We regret to record the death during the year of Mr. Robert C. Morse, a director in your company since 1917.

Submitted on behalf of the directors.

J. EACHRED, *Chairman.*

[2] Represented by 2,000,000 shares of common stock—no par—to November 30; 2,100,000 shares thereafter.

There is an industry that covers the face of the earth, and it announces it—the four corners of the earth. It says its export trade is greater than its American trade. It not only has the American market but it is capturing the markets of the world. Yet we find a prohibitory tariff laid on all competition in this country. Can you defend that, gentlemen? In your conscience can you defend that? Is that in the interest of the farmer; is that revising the tariff in the interest of agriculture. Mr.

FREAR, are these rates that you put in this bill, increasing the basket clause as high as 50 per cent, justifiable? You will not answer that because you know it is not.

Mr. FREAR. Oh, I will answer it in time.

Mr. GARNER. You will never answer that. You are not in favor of that and I will wait now for you to answer it if you want to. No man can say that he is in favor of that except the man who forced it in there.

Mr. FREAR. I want to quote the gentleman when I answer him.

Mr. GARNER. The gentleman can quote me all he pleases. I charge that this metal schedule was written and that reports were made and the majority agreed to them, and that you then rewrote the metal schedule. Why did you rewrite it? Why, Mr. Grundy came down here, and he got the Pennsylvania delegation to go and tell you what to do, and you would either do that, either obey that order, or they would join with the western bunch and then you would have to submit the bill to the judgment of this House; and that was death, according to your viewpoint. You did not want this child to be reviewed by this House under the 5-minute rule. You surrendered your own judgment, if you did not surrender your conscience, because, forsooth, he who contributes liberally and collects a million dollars for campaign purposes can come to Congress and through its great Committee on Ways and Means demand from the American people $150,000,000 additional in order that they may profit by it. Gentlemen, it is indefensible, and the conscience of most of you Republicans know that. That is the reason I say that when you placed it in the hands of these gentlemen to write this bill you placed it in the hands of men who intended to and finally did serve a section and interest, and you did not undertake to take care of the farmer except in little "leopard" spots, as the gentleman from New York so properly characterized them.

The CHAIRMAN (Mr. MICHENER). The time of the gentleman from Texas has expired.

Mr. CRISP. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman from Texas may be permitted to conclude his remarks. Is there objection?

There was no objection.

Mr. GARNER. Mr. Chairman, a friend of mine has just come to me and suggested that I may be taxing my strength too much. I am going to control the time, and sometime later on I will talk in detail more about this bill.

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes.

Mr. LOZIER. I assume the gentleman from Texas remembers that "once upon a time," James P. Foster, president of the Republican League of the United States, sent out a letter to the manufacturers soliciting funds to carry on the Republican campaign. In this letter Mr. Foster complained that the highly protected manufacturers in view of the great fortunes they were accumulating through high tariff laws should contribute more liberally to the Republican campaign fund. In this letter Mr. Foster quoted a letter written by a Republican United States Senator in which the Senator said that the manufacturers were getting practically the sole benefit of the tariff and that if the manufacturers expected the Republican party to maintain the protective tariff for their benefit they must come across with contributions to the Republican campaign fund, and further stated:

> If I had my way about it I would put the manufacturers of Pennsylvania under the fire and fry the fat out of them.

Is it not a fact that the leaders of the Republican Party for more than 50 years have in every campaign demanded of and received from the manufacturers enormous sums of money to finance Republican campaigns?

Mr. GARNER. I am sure I heard about it, but I have been living in recent times and listening to so much of what is occurring now, that I do not always recall these things. It has been the history of the Republican Party, my dear Mr. LOZIER, and that is why I object to their protective tariff system. It is not that I do not want to give adequate protection to American labor, in order that they may have American standards of living, for I believe in that as much as anybody, but it is the method of service that the Republican Party renders to special interests that I object to, and it will always be done. I do not doubt that I can select 15 Members on the Republican side of the House, able and honest, and put them in a room and give them the hearings, and have them bring out a bill that I am willing to vote for, but when you put these men in a room and tell them to write the bill and the contact comes between them and the interests it is too strong for them so that they can not withstand it.

The political organization is of such character that these men, honest men, can not withstand it, and they will be overcome by political expediency or be convinced against their own judgment. That is my objection to their policy.

I want now to refer just a moment to the "leopard" spots that my friend from New York speaks of. He is as high a protectionist as there is in the House. I think he gave the best illustration of his idea about protection that I ever heard, and if you look at the hearings I am sure you will find it. I guess it is there yet. Somebody asked him how high he would put the tariff wall around America, and he said that he would put it so darn high that the first importer that got over it would break his neck. He speaks about the leopard spots.

The leaf-tobacco people made out as clear and complete a case as it was possible to make out on behalf of the farmer. They were not manufacturers. I will not say that they were "hill billies," but they were log-cabin folks; they were people who worked with their hands, and they told their story in a plain, unvarnished way.

They made out a case. There is no doubt on the face of the earth about it. I suggested that we give them relief. The tobacco growers of Pennsylvania, Wisconsin, and Ohio were afraid that if you increased the duty on the leaf it would increase the cost of the 5-cent cigar to where they would have to sell it for 6 cents, and they feared they would lose the sale for their filler tobacco. That was the only contest—the contest between the Ohio, Pennsylvania, and Wisconsin tobacco growers against a protective tariff for the tobacco farmers who produced the wrapper. Those who needed the protection came from Georgia and Florida. The people who did not want the protection were from Pennsylvania, Ohio, and Wisconsin.

Do you know who made up the bill on that schedule? A Representative from Pennsylvania, one from Ohio, and one from New York. Gentlemen, that is what I complain about. That is not the spirit of fair play. That is the spirit of selfishness, so characteristic of the tariff; nothing but selfishness and local conditions in making up the tariff. That is demonstrated in many ways otherwise. It is demonstrated on hides and leather and on shoes.

If you put a tariff on shoes, it is not going to do the shoe manufacturer any good, any more than any tariff you put on corn in this bill will do the corn grower any good when you leave tapioca and blackstrap molasses on the free list. You pretend to help the farmer when you leave his competitor free to take this market. It is all camouflage. You will find numbers and numbers of other articles in this bill where that same spirit is shown; but when you come to the cement makers on the Hudson, where New York has two Representatives, and that little bunch up in New England, it is a shame to have the foreigner landing cement up along the Hudson. As you raise the cost, you will raise the level of price. Have you heard it? I have heard it. I think it is sound economic doctrine. When you raise the cost price of any commodity you raise the level of the selling price. In the same breath, while you are trying to protect the cement men along the Hudson in anticipation of the next campaign, you say the American people are not going to pay any more for it.

The shingle industry also is local. Nobody is interested in it but Brother HAWLEY and Brother HADLEY. God knows I would rather have them make up the bill than these other fellows. [Laughter.] If you had had RAMSEYER and HAWLEY and HADLEY to do it, it would be a far better bill than it is. They give them a tariff on shingles but they decline to give cotton any tariff. Why do not you give cotton a tariff? I can tell you the reason why. It is because the manufacturers who use cotton as raw material did not want you to give it to them, and you are afraid to go against their advice.

Gentlemen, I am going to discuss the provisions of this bill from time to time when I get a chance. I want to discuss it in detail, paragraph by paragraph, to show the changes in it.

There is not a man in this room of sufficient mental and physical strength who is able to sit down and analyze this bill and then tell the economic effect of it within three weeks to save his life. There is not a man living who can explain the economic effect of this bill in three weeks. Yet after four months' consideration in committee we are called here and asked to pass it.

Some on the Republican side say we are going to pass it by Saturday night a week. If you are going to pass it then, you might as well pass it by Saturday night of this week. Why take another week on it if you are going to cut off all intelligent discussion? Why not just say, "We have got the votes; the bill is satisfactory." I invite you to do it if you are going to camouflage and give no consideration to it. I would like for the

leader of the Republican side to send out his petition and put the bill on its passage to-morrow. [Applause.]

I do not believe in fraud or misrepresentation. I believe in candor and frankness, not pretense, in considering this bill.

You say, "We are responsible, and we are going to pass it." I solicit of you at least honesty in the consideration of it. You should consider it according to the rules of the House and not put it on its passage without free and full discussion. [Applause.]

The CHAIRMAN. The gentleman from Texas [Mr. GARNER] has used 1 hour and 10 minutes.

Mr. HAWLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO PRINT

Mr. TILSON. Mr. Speaker, I ask unanimous consent that during the consideration of the bill H. R. 2667 all Members of the House may have the right to extend their own remarks in the RECORD and for five legislative days after the disposition of the bill in the House.

The SPEAKER. Does the gentleman desire to include both general debate and debate under the 5-minute rule?

Mr. TILSON. Yes; all debate.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that all Members of the House may have the right to extend their own remarks in the RECORD for five days after the conclusion of the consideration of the bill.

Mr. GARNER. Does that include debate under the 5-minute rule?

Mr. TILSON. Yes; all debate.

Mr. GARNER. Is there to be debate under the 5-minute rule?

The SPEAKER. Unquestionably. The Chair believes in protecting the debate under the 5-minute rule.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 4. Concurrent resolution to print the tariff act of 1929 as reported to the House of Representatives, together with the report thereon, as a House document.

MUSCLE SHOALS

Mr. ALMON. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an article from the Florence Times-News in regard to the amount of power generated at the Muscle Shoals Dam and the amount of power sold during the last month.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks by printing an article on the power developed at Muscle Shoals. Is there objection?

There was no objection.

Mr. ALMON. Mr. Speaker, under leave of the House to extend my remarks I present an interesting article from the Florence Times-News showing that all but 2 per cent of the available power at Muscle Shoals went to waste in April, and how the farmers are suffering by the failure of Congress to put Muscle Shoals in operation.

The article is as follows:

POWER SALES IN APRIL ONLY 2 PER CENT OF AVAILABLE

According to the records of the Government engineers in charge at Muscle Shoals the total available power at Wilson Dam during the month of April, 1929, was 150,652,100 kilowatt-hours. Of this 3,046,000 kilowatt-hours was sold for general distribution. The power sold was 2.021 per cent of the power available during the month and the remaining 97.979 per cent was allowed to waste over the spillways.

There is no available market for the enormous amount of power allowed to go to waste, and it is apparent that the only profitable use that can be made of the power is in the manufacture of cheaper and better fertilizer for the farmer.

This is a farm-relief proposition which has passed the theoretical stage. An enormous tonnage of fertilizer is being made in foreign countries by the same process for which the plants at Muscle Shoals were constructed. This cheaper and better fertilizer is being used by farmers of the leading agricultural nations of the world in competition with American farmers who are paying much higher prices for fertilizer.

To illustrate what the operation of the Government properties at Muscle Shoals in the production of fertilizer would mean in the way of farm relief, the small cotton farmer is now paying $62 per ton for Chilean nitrate containing 15½ per cent nitrogen. This grade of Chilean nitrate contains 310 pounds of nitrogen per ton, and the nitrogen content is the only part of the ton which has any value to the farmer.

The amount of power required to manufacture 310 pounds of nitrogen by the cyanamid process, as shown by statistics of the Department of Commerce at Washington, is 1,455 kilowatt-hours. This amount of power, figured at $17.52 per kilowatt-year, or 2 mills per kilowatt-hour, would cost $2.91. Raw materials and other costs, including 8 per cent profit to the manufacturer, in the fixation of 310 pounds of air nitrogen at Muscle Shoals would amount to approximately $15.75, making a total of $18.66, which would be the cost to the farmer f. o. b. Muscle Shoals.

In the discussions of Muscle Shoals during the past eight years there has been a very strong and influential group who have urged that Muscle Shoals power be used to reduce the rates paid by power consumers. Let us compare the savings to the small farmer with the savings to the small power consumer:

The power required to manufacture 310 pounds of nitrogen, figured at the present commercial rate paid by the small power consumer, using power 10 hours per day, would amount to approximately $36.38. It is claimed by those who would make a power proposition of Muscle Shoals that the above cost could be cut in half. Granting, for the sake of argument, that their claims are true, the power consumer would save $18.29, while the small farmer would save $43.34.

No one has yet claimed that the small power consumer is more in need of relief than the farmer.

Muscle Shoals should be used in the manner provided for in the act of Congress authorizing the construction of the properties at that location.

The farmer is in great need of relief and should be considered first. There is an enormous amount of potential power which can be made available for other purposes in the Tennessee River and its tributaries. In fact the total power available at Wilson Dam during the month of April, as shown above, is, according to surveys made by the United States engineers, only 3.4 per cent of the power which can be developed in the Tennessee River Basin.

COTTON BAGGING VERSUS JUTE BAGGING

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on my bill (H. R. 196), the cotton tare bill, and with my remarks include a small part of the hearings before the Agricultural Committee on the bill.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to insert his remarks in the RECORD on a bill introduced by himself and also a portion of the hearings relative thereto. Is there objection?

There was no objection.

Mr. FULMER. Mr. Speaker and gentlemen of the House, for the benefit of Members who are receiving so much propaganda from the manufacturers and handlers of jute bagging against my net weight tare bill, H. R. 196, I am going to place in the RECORD some real facts as to the great need of the passage of a net weight tare bill at this or the coming session of Congress.

Perhaps it is speculation that fixes the price of cotton on the New York Cotton Exchange, but the buying agencies of the textile mills of America and Liverpool fix the price based on the New York Cotton Exchange for the cotton that they spin. While a great many farmers, even in this enlightened age, think they get paid for bagging and ties placed on their cotton, it is a known fact that the manufacturers of cotton figure off freights, storage, insurance, tare (bagging and ties), waste, and so forth, in making a price for their lint cotton requirements. Is there a Member of the House who believes that a cotton mill would pay 20 cents a pound for 25 or 30 pounds of jute bagging and ties which would amount to $5 and $6, when this same bagging and ties only cost about a dollar and a half and can not be spun along with cotton, but is usually thrown on the waste pile, except perhaps the bagging is resold for a small amount? Any honest jute-bagging manufacturer, as well as cotton shippers, will tell you that the mills figure off the bagging and ties in making their price.

I would be glad if you will get the hearings before our committee on this legislation during the Seventieth Congress and read same.

SENATOR RANSDELL

On February 4, 1929, Senator RANSDELL, of Louisiana, appeared before the Ways and Means Committee requesting that a tariff be placed on jute and jute products. I am going to

quote at this time a part of his statement. The Senator is a cotton farmer as well as a very capable Senator:

Mr. MARTIN. Senator, do you think that cotton bagging is equal in value to jute bagging?

Senator RANSDELL. I am satisfied, sir, that cotton bagging is better than jute. The Agriculture Department has tested it, and, gentlemen, there is no doubt that the strength of the cotton is greater than that of jute; there is no doubt that the durability of cotton is greater than that of jute. It answers every purpose better than jute.

Mr. COLLIER. Because of your great experience in the cotton country—I think that like most of us you are a cotton farmer yourself.

Senator RANSDELL. I am a cotton farmer.

Mr. COLLIER. I have been informed by one of the largest sellers of bagging that the average price of this bagging is about 12½ cents a yard which at 6 yards would cost the southern farmer about 75 cents to wrap a bale. There are 6 yards to the bale. That would be 12 pounds of bagging in that bale which goes into the weight of the bale of cotton. In other words, he would be paying 75 cents for his bagging and at 20 cents a pound for his cotton, he would get back $2.40 from his cotton, whereas if he used the cotton bagging which weighed just half that much and paid the same price for it, he would get back only $1.20. Have you investigated that?

Senator RANSDELL. I have investigated it very carefully. In an ordinary bale of cotton, the tare of the steel ties and the cotton ranges about 23 to 24 pounds to the bale. Does any human being imagine, especially a man of your great intelligence, sir, that the mills of this country pay 20 cents a pound for that tare, those rusty ties, and that bagging? Of course, sir, when they buy a bale of cotton weighing 500 pounds, they take into consideration the fact that 23 or 24 pounds of it is useless bagging and useless iron ties, and they fix the price accordingly.

How do the European buyers act? They place upon it a tare of 6 per cent and when that cotton leaves an American port to go to Europe, 6 per cent on the weight is deducted, and a bale that weighs 500 pounds is paid for at the rate of 470 pounds. They deduct 30 pounds for tare, and our cotton shippers knowing that, that they are going to do that, and in order not to lose the difference between the 24 pounds of bagging and ties, actually placed on the bale and the 30 pounds that the Englishman is going to deduct, add a patch that weighs 6 or 8 pounds.

My friend, Mr. GARNER, knows exactly how they do it.

So that when that bale of cotton reaches Europe, it weighs 30 pounds or more of actual tare. When the cotton comes from India or from Egypt or any of those countries, the custom of the trade abroad is that they sell by net weight and deduct the bagging and ties. Ah, Mr. COLLIER, that is a fallacy that has been fooling a number of our southern people for a good while and I am trying to correct it, and I hope you are going to enable me, for the southern people of the South, to be honest, to sell the commodity that the mills spin, to sell the cotton by the net weight.

When you buy a keg of nails, sir, you get 100 pounds of nails. They do not charge you for the 25 or 30 pounds that the keg weighs. Of course not.

Mr. CRISP. Senator, in order for this plan to be effective to protect the cotton farmer and the textile manufacturers, the tariff would have to be sufficiently high to be practically an embargo on the importation of raw jute and burlap, would it not?

Senator RANSDELL. Pretty nearly that, sir.

Mr. CRISP. If that were true, about how many bales of American cotton do you estimate it would take to manufacture the wrappers for cotton bagging and for the grain industry, the wholesale houses, and others that now use bags some of which are cotton and some burlap?

Senator RANSDELL. For all the purposes for which jute is used—and you omitted one very important item, in my judgment, to wit, twine—for containers of every kind and sort, for every imaginable kind of groceries, for fertilizers, for cement, and for bagging to wrap our cotton, from the best information I have, sir, it would be about 1,500,000 bales of cotton per annum. Of course, everything in the grocery line requires twine to tie things. That is a simple name for it. It takes an enormous quantity of that.

Mr. CRISP. I have heard it estimated at from 1,000,000 to 1,200,000 or 1,300,000 bales.

Senator RANSDELL. There is a difference of opinion. I was just going to add that even though there be some mistake on that, Mr. CRISP, if we could get a market for 1,000,000 bales of our cotton, that would add 2 or 3 cents a pound to the price, and that would be a wonderfully beneficial thing to the cotton grower, and, I would like to add, would not hurt the ordinary consumer.

Mr. CRISP. That was the next question I was going to ask you. If cotton were spun in this country to meet that requirement, which would, of course, reduce the surplus or carry-over, how much would it increase the price of cotton to the farmer per pound?

Senator RANSDELL. In my judgment a minimum of 3 cents a pound.

Mr. CRISP. While some of the farmers have the opinion that they are making something on account of selling the bagging and ties, I do not agree with that.

Senator RANSDELL. They are just fooled.

Mr. CRISP. The price, of course, is fixed on the net weight. Then you think that if Congress should pass such a law as you are advocating the farmer would receive a large benefit by virtue of getting a higher price for his cotton?

Senator RANSDELL. Yes, sir.

Mr. CRISP. And that benefit would overcome any loss or additional burden that he might have to undergo by reason of paying a higher price for bags, wrappers, etc.

Senator RANSDELL. Absolutely, Judge CRISP; not only that, but the manufacturers of America who sell to the cotton growers would find a market for many more millions of dollars' worth of their products.

Mr. CRISP. Senator, is it not a fact that Ludlow & Co. are the greatest manufacturers of cotton bagging, etc., in this country, and they have one or two mills in India where they manufacture jute and bagging in India at Indian wages, and bring it into the United States in competition with the industry in this country?

Senator RANSDELL. They have a wonderful mill on the Hugli River, about 17 miles below the city of Calcutta. I have got pictures of it here. It is a perfectly beautiful place—100 buildings there— railroads, wharves, and docks; everything, sir, and they bring not only jute but they make enormous quantities of burlaps and bring them in in competition.

Now, let us see what Mr. George Beveridge, president of the L. H. Gilmer Co. of Louisiana (Inc.), says about who pays for bagging and ties. On page 3 of the hearings before the Agriculture Committee, I quote the following:

Mr. BEVERIDGE. Now, gentlemen, as a manufacturer using the cotton and buying it, I take this position: Why should the cotton mills of this country be penalized by having to buy their cotton gross weight, on which the average tare per bale is 25 pounds or 5 per cent of the weight of a bale of 500 pounds, as against the English and other continental mills to get an allowance on cotton that they buy in this country of 6 per cent or 30 pounds per bale for tare? On that basis these mills are buying their cotton net weight while the mills in this country have to buy their cotton gross weight, which means that when they pay 20 cents per pound and the weight of bagging and ties, 25 pounds, are included they only get 475 pounds of cotton, so that the actual cotton they receive costs them 21 cents per pound while the foreign buyers' cotton only costs them 20 cents per pound. That being so, it will readily be seen that cotton sold to the mills net weight will bring the grower 1 cent per pound more, which will offset the difference between selling net weight as against gross weight.

Mr. FULMER. In other words, the old method of selling cotton in the United States is on a tare allowance on all cotton exported 30 pounds to the bale?

Mr. BEVERIDGE. Yes, sir.

Mr. FULMER. And we have various methods and rules of computing the tare in the United States from 24 to 25 and 30 pounds. In the meantime the producer is allowed to put on about 21 pounds?

Mr. BEVERIDGE. Yes, sir.

Mr. FULMER. And between that 21 and 30 pounds the exporter patches on the difference?

Mr. BEVERIDGE. Yes, sir.

Mr. FULMER. And all of this excess bagging brings about tremendous loss in freight?

Mr. BEVERIDGE. Yes, sir.

Mr. FULMER. Now, the farmer under this method can not afford to cut the weight of his bagging and ties inasmuch as all cotton is sold on a gross-weight price basis, because this allowance has been taken off of the price of cotton, when the price is made on the tare allowance of the 25 or 30 pounds?

Mr. BEVERIDGE. Yes, sir.

Mr. HOPE. Why can not the mills in the country buy cotton net?

Mr. BEVERIDGE. You could not expect the importer to do that when he is making 1 or 2 cents out of the extra patching. He gets the excess and the producer loses, because his price is based on 30 pounds loss.

Mr. HOPE. In what part of this country are the prices based on that?

Mr. BEVERIDGE. All over the country. The present spot market in New Orleans——

Mr. HALL. I want to know what you mean by "patching"; for instance, a bale of cotton weighs 493 pounds net. In order to bring that up to, say, 500 pounds, do you mean that they pull out from some other broken bale a handful of cotton and put on there?

Mr. BEVERIDGE. The cotton in this country, when it goes into the warehouse is in flat, loose bales. When it is exported it is compressed and packed down tight. The English and other mills buy their cotton on an allowance of 30 pounds tare. Therefore, the bagging is already there, and on the sides of the bale is the only place they can put bagging, and they have the practice of just laying on the patches to raise it up to 30 pounds.

Mr. ASWELL. I want to clear up one question. May I illustrate this? I have gathered and ginned and sold hundreds of bales of cotton myself in the local market. I always purchased the heaviest jute bagging, because I paid less for it than the price of cotton. When I sold my bale

of cotton to the local merchant he paid me so much a pound and included the weight of the bagging and ties—gross weight; and he bought my cotton on that basis. Now, if you do this and buy and sell in the foreign market on net weights, would I have to sell on net weight?

Mr. BEVERIDGE. You would have to sell on net weight.

Mr. ASWELL. What becomes of the amount I paid for bagging and ties?

Mr. BEVERIDGE. You get a cent more a pound for the cotton.

Mr. ASWELL. How do you know you would get that?

Mr. BEVERIDGE. Well, because, no doubt if it was sold net weight it would automatically increase the value.

Mr. ASWELL. Not automatically at all. Suppose he would say, "You have to deduct your price of the bagging"?

Mr. BEVERIDGE. There is not a mill in the country——

Mr. ASWELL. I am not talking about the mill; I am talking about the merchant in the little town.

Mr. BEVERIDGE. He knows that he is selling it at net weight, and he is buying it by net weight.

Mr. ASWELL. I am only interested in the little farmer, that he is not made to suffer by it.

Mr. BEVERIDGE. No, sir; nobody is made to suffer by it, because he knows he is going to get a cent a pound more. There is no cotton merchant going into any cotton mill in the country with 500 bales of cotton of some grade and offering it 20 cents with the present covering of jute. There are 500 bales net weight and the mill will give him 21 cents.

Mr. CLARKE. Has this trade custom persisted ever since you have been shipping cotton?

Mr. BEVERIDGE. Yes, sir. If you will just pardon me one moment. Early last year the agricultural authorities all over the country took a great interest in this cotton-bagging question. In a letter we sent out to the Louisiana ginners, dated April 19, 1927, we made the following statement:

"Agricultural authorities believe that by wrapping cotton in cotton bagging an increased consumption will result which will mean at least 2 cents more per pound for cotton."

I know of no man who who has given more honest-to-goodness study to this matter than my colleague, Judge SANDLIN of Louisiana. Let us see what he says about it in the hearings before our committee:

Mr. ASWELL. How does he lose the 30 pounds if it gets to Europe?

Mr. SANDLIN. It is figured into the price of cotton.

Mr. FULMER. That is what I have been trying to tell you.

Mr. JONES. Does he get a lower price basis by virtue of that condition of things?

Mr. SANDLIN. Oh, yes. They get a basis of a cent a pound less. That is recognized; everybody knows that. So it is very apparent they are not going to get paid for that 30 pounds.

Mr. ASWELL. We want it in the record, is the reason I asked it.

Mr. SWANK. Does not the farmer now think he gets paid for this 30 pounds?

Mr. SANDLIN. Oh, yes; the farmer does not know anything about it—not many of them. They think they are getting full pay for the bagging and ties; they do not know anything about the 30 pounds being taken off in Europe.

My friends, even bankers have time to look into these matters, and, being interested in farmers who are being robbed, are willing to give of their time and knowledge. I quote some statements made by Mr. J. S. Bartee, banker, Shreveport, La.:

Mr. BARTEE. Liverpool normally should work out to take care of the difference in freight and the tare, which means that the producer on this side, selling cotton gross weight, is getting a lower price for his cotton than he would if that cotton was being sold net weight, so that it would be shipped in the same poundage to England for export. The only way I see it is that the southern farmer is acting as sales agent for the jute people and selling his cotton gross. He thinks he is getting paid for it, but he is not, because he is getting a lower price for his cotton gross weight than it would be sold for net weight, because naturally the cotton brokers can not afford to take 10,000,000 or 12,000,000 bales of cotton and pay for 30 pounds more cotton than they are going to be paid for on the other side.

Mr. JONES. Do you suppose the farmers could be made to understand the matter generally, if you put on net sales weight in this country? Would not a lot of them figure they were just being denied in this measure the extra price they were getting for jute?

Mr. BARTEE. The farmer is a pretty hard person to convince, but he ought to be convinced of the advantage; that he is getting paid for the actual cotton, which automatically increases the price of cotton 1 cent, and the psychological effect of creating a use for cotton.

Mr. JONES. That phase would be easy to carry to him and might offset the other tendency. Do the farmer organizations favor this kind of legislation?

Mr. BARTEE. Yes, sir.

I quote from the statement made by Mr. William I. Holt before our committee, who represents the Department of Agriculture in Europe as one of their cotton men, which comes as real information out of the experience of his work with American cotton:

Mr. HOLT. I think it is largely agreed that what is needed now and what would result in greatest benefit to our producers and everybody in the trade is a net-weight contract which discourages putting more covering on than is actually necessary to protect the bale. Anything in excess of that is an unnecessary charge upon the industry and an economic loss and, for the past 20 years, tables have been compiled about it to show a loss ranging all the way from $6,000,000 to $15,000,000 a year.

Mr. FULMER. That comes about in excess freight, insurance, and various other charges, because of the excess bagging put on beyond the amount of actual bagging that should be on the cotton?

Mr. HOLT. Yes; exactly.

Mr. JONES. Then, in order to make the remedy complete, you would not only need to have the same amount of bagging and wrapping, but would also need to have a net-weight basis of sale in this country, would you not?

Mr. HOLT. Yes; that is what I refer to particularly.

Mr. JONES. It would take both plans to complete the remedy?

Mr. HOLT. Well, yes; I think so; to get it on a proper basis. One of the strongest indictments, I think, against the present method of handling American cotton is that in scarcely no two markets are the tare requirements the same. You take the three big futures exchanges—New York, Chicago, and New Orleans—and the tare requirements in no two of those markets are the same. Then you take your local State exchanges, which refers to the gin bale, and there is a variation right straight through almost in every spot market, showing no uniformity with regard to tare allowed. And that leads to all kinds of trouble in the cotton business. When the crop is moving in the early part of the year, compresses frequently become congested for want of space, and they will ask shippers to compress their stock and hold it for shipment, and the shippers will have to tell them they can not do that, because they do not know what will be the ultimate destination, and if it goes to an eastern mill it will take one patch, and if it goes for export it will take another patch.

* * * * * * *

Mr. HOLT. Here is an item I might mention in this connection. I have before me a statement of the American, Egyptian, African, and East Indian cotton, and the amount of tare put on the American bale is at least double that put on any other bale, practically, and more than double some of it. And they are all better bales; all of those other foreign-grown cottons are infinitely better than our American bale.

Mr. FULMER. Right at that point, Doctor Holt, I would like you to tell these people about the condition of American cotton when it arrives. You have been over there when they have unloaded this cotton and noticed it on the platform, and you know the condition in comparison with the other cottons.

Mr. HOLT. The American cotton, the condition of it when it arrives in Europe, is really considered a disgrace. It is far below the condition of any other cotton. I have talked to European merchants in my work about a better American bale, and they will agree it should be better; but I think anything that is done about it will have to come from this side. And I would like to say that the Egyptian bale is only a 3 per cent bale; the Mexican is 1½ and the African 2½, and there are two bales put up in India, one with a little less than 3 per cent and the other with 2¼ per cent, against approximately 5½ per cent in America.

Mr. WILLIAMS. Why does American cotton arrive in European markets in worse condition than other cotton?

Mr. FULMER. It is because of the type of bagging compared with the types used by other countries. No other country in the world uses jute bagging in covering cotton. Every pound of that is imported from foreign countries into this country, and we are really stifling with low-grade cotton, just like you see over there [indicating]. That is one of the purposes of this bill—to use standard cotton bagging of 4 or 5 pounds on cotton, and that will enable the American producer to use cotton bagging instead of jute bagging. That is one of the purposes of the bill.

Mr. Robert J. Cheatham, Bureau of Agricultural Economics, Department of Agriculture, makes a very interesting statement before our committee. I only quote a small part of his statement and would ask that you get a copy of the hearings and read his whole statement:

Mr. CHEATHAM. Mr. Fulmer has asked me to bring out the point with reference to the economic phases of it. I estimate it would take something like 200,000 bales of low-grade cotton that would be required, on the average, to cover the American crop—of the lightweight cotton bagging—that is, the lightest weight, 12 ounces, or 5 pounds per pattern. That consumption of 200,000 bales of low-grade cotton would have

approximately the same effect on the price level as a reduction of that amount of cotton in the available supply, which economists tell us would amount to one-half a cent a pound, or $2.50 a bale. You understand that most of this cotton bagging we have been quoting prices on is made from good ordinary cotton.

Mr. FULMER. In other words, the very lowest grade and maybe the best type of linters.

Mr. CHEATHAM. Yes, sir; linters and card waste, which would reduce the cost.

Mr. FULMER. How did the cotton bagging stand up in comparison with the jute bagging in the shipment to Bremen and return?

Mr. CHEATHAM. The cotton bagging, sir, seemed to stand up. The lightest weight, 12 ounces, or 5 pounds per pattern, stood up just as well as the 2-pound jute, we thought, and it looked much better and protected the cotton better from dirt, trash, and other impurities.

Mr. FULMER. And in the meantime that was 5 pounds, in comparison to about 17 pounds of jute?

SOME ADVANTAGES OF TARE STANDARDIZATION

"(1) Savings in the cost of covering materials, in freight, insurance, and other charges on the difference or saving in weight, including the reduction in the cost of ascertaining tare.

"Measured in dollars and cents, this is the greatest advantage of all.

"(2) Saving in storage space. Standardization of tare would permit bales to be compressed and patched at once, without regard to the ultimate market, instead of being held uncompressed.

"(3) Betterment of business ethics and improvements of relations between buyer and seller. These might be classed as intangible benefits, but they nevertheless carry almost as much weight as do the direct benefits.

"(4) Simplification of trading practice. Standardization of tare should simplify price calculations and eliminate much correspondence and accounting necessitated by tare claims and collections. Merchants could obviate the necessity of stocking patches of different weights.

"(5) Standardization of tare should result in some improvement of the appearance of the bale. The bale usually comes from the gin with a little over 4 per cent tare on it. When the shipper gets it, he adds sufficient additional tare to bring the total up to about 5¼ per cent, let us say, in the export market. The foreign importer, not to be outdone, tacks on some more tare before delivery to the spinner, the tare finally amounting to perhaps 6 per cent, so that, roughly speaking, there has been added to the bale about 2 per cent during the journey from the farmer to the spinner. The consequent economic loss, measured by the amount of unnecessary bagging, and ties, and the freight, insurance, and other charges paid thereon, has to be borne jointly by the farmer and the consumer.

"Sometimes the farmer, feeling that he, himself, is entitled to some of this leeway between these two extreme tares, puts more than the customary tare on his gin bale. But he seldom gains by this, for it is only by an oversight that the buyer permits the overtare to pass.

"The whole matter resolves itself into this, that each buyer always adjusts his prices in accordance with the amount of tare for which he expects to pay.

"If American cotton were sold everywhere on a true net weight basis, then the price would give the value of cotton per se, and correct comparisons would be possible that are not possible now. (For example, when cotton is quoted here at 20 cents, that is really the price of cotton and tare together, the true price of cotton would be 20 cents plus, about 5 per cent, or, say, 21 cents.)

"Such a method would indicate the true value of cotton itself, would tend to do away with a great deal of juggling of tare, and would dispense with rather complicated methods of price transformations.

"There is reason to believe that cotton exchanges abroad would be glad to buy American cotton, as they do other cotton, on a true net weight basis, if the tare on our cotton were standardized.

"Another advantage claimed for cotton bagging is that it peels off the bale with but little cotton lint adhering to it, whereas jute bagging carries considerable lint off with it. Upon the return of the test shipment from Bremen, 10 bales covered with cotton bagging and 10 bales covered with jute bagging were stripped, and the cotton lint adhering to the two types of bagging was carefully removed and weighed. From the 10 cotton-bagging patterns 6¾ ounces of lint was recovered and from the 10 jute baggings 12 pounds of lint was recovered.

REASONS FOR A NEATER BALE AND NET WEIGHT

"There is considerable demand among spinners and merchants and the trade generally for a neater package for practically every line of merchandise. In fact, it is considered that neatness of package has a definitely beneficial effect upon sales. For years the American cotton bale has been criticized for its ragged appearance upon arrival in foreign markets. Not only are buyers prejudiced by its ragged appearance, but great economic losses are incurred because of the inadequate covering of the American bale."

The booklet entitled "Cotton Tare," printed during the Sixty-second Congress, Document No. 577, will give you more information on the tare subject than you have ever dreamed of. I want you to get a copy of same. If you can not get a copy from the Department of Agriculture, call on me for one. This book contains cuts of all cotton baled in the various countries, types of bagging, and weights of tare. Letters from American consuls residing in Europe about American cotton condition when landed in Europe, about tare, and so forth. By all means get this book and get posted on how the American producer of cotton is being robbed. I quote from page 39, letter written by D. Cunningham, chairman trade supervision committee, Liverpool Cotton Association (Ltd.):

The planter may think he is getting paid the price of cotton for materials of far less value, but in this he is mistaken, as merchants, warned by past experience, make allowances for this in the price they give, and the final result is that while the planter gains nothing, there is an increase of cost to the spinner. On freight alone to Europe the calculation has been made that the carriage of perfectly unnecessary canvas and bands amounts to £200,000 ($973,300) per annum.

My committee would urge, and in this they are strongly supported by the International Federation of Master Cotton Spinners and Manufacturers' Association, the adoption of bale standard in dimensions, containing approximately the same weight of cotton, pressed to rather a greater density than at present, and covered by a better make of canvas, lighter in weight.

INSURANCE ADVANTAGE ON HARD-PRESSED COTTON

The rates of insurance given by the Royal Insurance Co. for cotton stored at the Manchester docks are as follows:

Ship canal warehouse, nonfireproof: If hard-pressed bales, only 7s. ($1.70) per cent per annum; American cotton, 10s. ($2.43) per cent per annum.

In fireproof warehouses: Egyptian (hard pressed), 7s. ($1.70) per cent per annum; American cotton, 9s. ($2.19) per cent per annum.

The following statement should convince every southern Congressman we should consider net-weight legislation making 15 pounds of tare the maximum, real farm relief legislation, and pass same at the extra session. How much longer will we listen to the Jute Trust?

E. H. L. Mummenhoff, vice consul general, Hamburg:

In a tour of the docks made for the purpose of preparing this report the writer walked through acres of handsomely packed American goods of every description, which had arrived without incident, emerging finally into the cotton section, where the floor was strewn with quantities of loose cotton, and between stacks of bales, no two of which had the same shape nor were baled in precisely the same way. Even the best bales which were intact showed where hooks had torn the gunny sacking, tearing out with it more or less fiber. In many cases the iron ties were broken, and a large number of bales had entirely collapsed. In a corner of the building a great quantity of loose cotton had been swept up from the floor, sufficient in all to make a number of bales itself. The loss of cotton in consequence of poor baling from farm to factory must be enormous in the course of a year. My informants here state that this criticism applied to not only cotton but to waste and linters as well.

American linters arrive in just as bad a condition as cotton, with the exception that there is, as a rule, more waste of linters than of cotton.

William Thomas Fee, American consul at Bremen, Germany, gives us the following information:

In further compliance with the department's instruction, I went to the harbor and witnessed the unloading of a steamer carrying 11,000 bales of American cotton. Generally, it was in a very fair condition. However, the jute wrapping was in most instances badly torn and ragged, which gave the cotton a bad appearance and exposed it to injury. But the cotton ties were, with very few exceptions, intact, and the bales generally were in unusually good condition.

I have witnessed other unloadings where the bales were in a much worse state and much loose cotton was being thrown about.

Col. Harvie Jordan, Greenville, S. C., who is not only a large cotton farmer but is the active secretary of the American Cotton Association:

There is perhaps no subject of more vital economic importance to the cotton industry than that of reforming the baling and handling of American cotton.

Cotton is the most valuable monetary product of the Nation and constitutes the leading commodity in our international commerce and in the textile industries of the civilized nations of the world.

Notwithstanding these important facts, the American bale of cotton is the most wastefully handled package which enters the channels of commerce in any country. The plantation bale of to-day is the same type of package turned out from the gins 50 years ago.

In the language of foreign spinners, the American bale of cotton has come to be the laughing stock of Europe. It typifies the days of the tallow candle and stagecoach.

The annual losses incurred by the growers and spinners of American cotton as a result of continued adherence to our present primitive and

wasteful system of baling amount to at least $150,000,000. In 10 years this accumulated loss would pay for a crop of 12,000,000 bales of cotton at 25 cents per pound. There is no other organized industry in the Nation that would permit a continuance of such waste in a highly valued product without applying the necessary economic reforms.

The American bale carries the highest domestic and marine insurance charged for the protection of the staple of any cotton-growing country in the world. The tare on American cotton bales is far in excess of tare applied to cotton bales in other leading cotton-growing countries, and jute bagging has always been most objectionable to domestic and foreign spinners.

Mr. J. M. Bowen, president Spot Cotton Merchants' Association, New Orleans, La.:

Every man who is a cotton man knows that when excess bagging is put on a bale of cotton that the farmer is the man who finally foots the bill, because when a cotton man buys or sells cotton he figures the amount of tare on it and it gets right down to a net basis. The excess freight and excess insurance that is paid on surplus tare is taken out of the bale itself, which means that the farmer foots the bill.

There is no question that the disreputable appearance of our bales has given American cotton a black eye in Europe, and the sooner we recognize this and send to Europe a package that is comparable to the package that is put up elsewhere just that much sooner are we going to be on competitive basis. There is no question that legitimate exporters suffer from excess tare. Also there is another thing that gives the American bale of cotton and the American shipper a black eye and that is the fights an exporter has with his customers over tare claims. When you fight a customer you get in bad with him, and very often claims that the exporter views as unjust are paid as a matter of policy. There are other people who ship cotton and patch it heavily but never pay a claim, and that character of merchant is a very unwelcome competitor for the honest legitimate merchant.

Now, in regard to tare rules, that point has been mentioned. Nearly every port and receiving center of cotton, mill center, has a different method, a different rule for determining the tare on bales that reach that particular point. The rules in the Carolinas, in New England, Liverpool, and others, are all different. So far as the American farmer is concerned I feel that these rules having been made by the merchants and the mills at the points that receive the cotton naturally favor the receiving points and operate against the farmer, and I think that is something we can correct and should correct. Why the American farmer and American exporter should have to abide by foreign-made rules is something absolutely beyond my ken, and we have had to do it largely on account of our own fault because we have put up our cotton in a bad package.

I would like to bear out what Mr. FULMER had said. I think if the Department of Agriculture is going to undertake the proposition of standardizing tare, we might as well swallow the cherry at one bite; I think it will be as easy a matter to standardize tare both at the gin and for domestic or export shipping as it would be to standardize it at the gin alone. I think Mr. FULMER is right when he states that if we attempted only to standardize tare at the gin, it would create a feeling on the part of the farmer, and justly so, that he was being paid only for lint, whereas the man who bought his lint was getting 25, 30, or 35 cents a pound for something that was put on that lint and that cost him 4 or 5 cents a pound. That is one reason. Another reason is that it will increase the price of new bagging very much, and I do believe this, that an article such as a bale of cotton, which is the most necessary commodity raised in the world to-day next to wheat, and which is worth approximately $125 to $150 a bale, is entitled to a new covering. I do not think it ought to be wrapped up in second-hand covering. I think it ought to be wrapped in a new bagging. I think it is entitled to that consideration, and I think that the cost of that bagging is insignificant as compared with the value of the article. I hope when the Department of Agriculture undertakes to standardize the tare on cotton bales, that standardization will extend from the time the bale of cotton is ginned until the time the bale of cotton reaches its ultimate destination, which is the mill, whether that mill be in America or in Europe.

Mr. MARTIN AMOROUS. I just learned here to-day, and I am 66 years old, that we farmers have to pay the cost of "tare." None of my friends who ever bought any cotton from me, nor did my neighbor, ever tell me anything of that sort. On the contrary, since the price has been so low, below the cost of production the last few years, we thought that was the only way we were making a profit on cotton. [Laughter.]

Mr. S. Odenheimer, representing Hon. Harry D. Wilson, commissioner of agriculture for the State of Louisiana:

The producer sells his cotton by gross weight, but foreign countries buy it by net weight and foreign countries deduct from a 500-pound bale 30 pounds, or they deduct 6 per cent for tare. So, since the price of cotton is made in Europe or in foreign countries, in countries to which cotton is exported, they take off 6 per cent for tare, and the farmer does not get paid for that bagging and ties. Thirty pounds is taken off of a 500-pound bale. Now, there again the cotton farmer loses, because he only has 21 pounds of bagging and ties on his bale, and 30 pounds are deducted. So he loses 9 pounds, which at 20 cents a pound is $1.80. Now, who makes those 9 pounds? The shipping interests make those 9 pounds. The exporter of cotton sees that every bale of cotton he ships contains at least 6 per cent of bagging and ties; so when he buys a bale of cotton from the farmer——

Mr. FULMER. You stated that the mills in buying cotton bought cotton fiber and not bagging and ties.

Mr. ODENHEIMER. Yes.

Mr. FULMER. Then, as a matter of fact, the price, although it is on a gross basis, it is fixed to eliminate the bagging and ties?

Mr. ODENHEIMER. Yes, sir.

Mr. ANDRESEN. Did you ever know of any instance where the producer himself has ever been able to fix the price of any agricultural product?

Mr. ODENHEIMER. No; I do not know. There is a very good reason for that. Everybody else in the United States is combined; but the producers, unfortunately, will not combine.

Mr. ANDRESEN. The mills and foreign buyers are interested in buying cotton just as cheap as they can?

Mr. ODENHEIMER. Yes, sir.

Mr. ANDRESEN. Now, I am afraid you are running up against a proposition of this kind, in case this bill becomes a law, that the cotton producer will be left holding the sack, paying for the bagging he puts on there, because the foreign buyers and the millers are going to buy just as cheap as they can, and the farmer will never have an opportunity to include the tare as part of his price, or get anything for it.

Mr. ODENHEIMER. You might put it that way, but that is entirely unreasonable.

Mr. ANDRESEN. I do not think so.

Mr. ODENHEIMER. You see, the mills of the United States and the mills all over the world only pay for the net cotton, the actual fiber, and the price is fixed on the net cotton. I am also interested in a cotton mill. When we buy cotton that weighs 500 pounds gross we know we only get about 427 pounds, and we fix, in our minds, the value of the cotton.

* * * * * * *

Mr. ODENHEIMER. Then, again, I want to call attention in there to the figures they have, of how much money can be saved for the South by adopting cotton bagging. It amounts to about $15,000,000 on a 13,000,000 bale crop.

Mr. ADKINS. Who is responsible for not using cotton bagging now?

Mr. ODENHEIMER. The cotton trade; the cotton trade objects.

Mr. ADKINS. Why does the cotton trade insist upon using jute to the detriment of the cotton grower? They are certainly interested in it.

Mr. ODENHEIMER. The cotton trade does not object to this bagging; they like this bagging, because they make 7 pounds on every bale that is used.

Mr. C. B. Howard, general sales manager American Cotton Growers' Exchange, Atlanta, Ga., appeared before our committee and certainly a man holding the position that he does, representing the farmers' end of it, ought to know whereof he speaks:

Mr. ANDRESEN. I just want to see if I have this proposition straight. When a cotton farmer goes in and sells his cotton he gets paid the cotton prices for everything he has in and on the bale; for the cotton, the bagging, and wires; when the exporter sells abroad the tare is deducted for the bagging and for the ties. That is correct, is it not?

Mr. HOWARD. The first part I do not think I quite caught.

Mr. ANDRESEN. The farmer gets paid for his bale of cotton.

Mr. HOWARD. Gross weight?

Mr. ANDRESEN. Yes.

Mr. HOWARD. Yes.

Mr. ANDRESEN. At the cotton price?

Mr. HOWARD. Yes.

Mr. ANDRESEN. But the exporter is the man who loses, because the tare is deducted from his price?

Mr. HOWARD. Oh, no; he sells gross weight, too?

Mr. ANDRESEN. Who, then, stands the cost of the tare?

Mr. HOWARD. He does not lose anything.

Mr. ANDRESEN. Who stands the loss of the tare when it is sold in export.

Mr. HOWARD. This unnecessary tare, naturally, in the last analysis comes out of the price of cotton.

Mr. WILLIAMS. Comes out of the farmer?

Mr. HOWARD. Comes out of the farmer.

Mr. ANDRESEN. You think there will be a change in the price of cotton if it is sold net weight?

Mr. HOWARD. Yes; the farmer will get more net for cotton if the waste is eliminated.

You can tell from the following that Mr. Frank M. Inman, of Williamson, Inman & Co., Atlanta, Ga., thinks that farmers are robbers and that he gloats over the fact that he is in a position to see that farmers only get 21 pounds of tare while he patches on about 9 and is able to "get by with it":

Mr. FULMER. Would you mind stating why the farmers and ginners put on all that bagging and ties?

Mr. INMAN. Because they are selling it at the price of cotton.

Mr. FULMER. They used to think so, but they are learning a few things now.

Mr. INMAN. Gross weight. That is why I am here representing this organization.

Mr. FULMER. Would it not be well to add to that because they realized the shipper gets 26½ or 30 pounds, and they are only allowed 21 pounds?

Mr. INMAN. No, sir; I do not think they realized anything except they could get by with it.

Mr. FULMER. I deny that statement they are entitled to it, but are being robbed out of from 4 to 9 pounds on every bale.

Mr. INMAN. No; because they were putting on more than the shipper could pass along.

Mr. FULMER. Then, why did the shipper patch on 4 or 5 pounds after that?

Mr. INMAN. The terms on which cotton is sold is 22 pounds for flat cotton, uncompressed cotton—22 pounds to the bale, 24 pounds on the compressed bale, and 26 and a fraction on export cotton. Under the terms on which the bale is sold, if it does not carry enough tare, the shipper adds enough tare to make it up to the standard requirements, to meet the competition of other shippers.

Mr. FULMER. And you get paid for that at cotton prices?

Mr. HOPE. Your organization is in favor of net weight but you are opposed to legislation?

Mr. INMAN. We are in favor of the principle of net weights; yes.

Mr. HOPE. Does your organization have any plan by which they think this principle can be carried out without legislation?

Mr. INMAN. We have no plan.

Here is another cotton shipper who is satisfied with his position. Why, he and his colleagues are the fellows who handle the cotton while farmers spend the summer in the mountains. You note that he states, "We have the money, we have the organization, and we handle the crop." I think he is right, and that is one of the reasons I am trying to pass legislation so as to let the farmer in on the handling of his cotton. Mr. McCoy's organization is the one that has controlled the baling of cotton all these years, and objects to legislation, stating, "Leave it to us, we will finally work out what you are driving at."

Mr. L. Brown McCoy, Charlotte, N. C., representing the Atlantic Cotton Shippers' Association before our committee:

Mr. MCCOY. We merchants are the ones who handle that cotton and make possible the marketing of it. We have money, we have the organization, and we handle the crop, and there is always good competition in the marketing of the cotton of any farmer who comes to the market.

Mr. FULMER. You stated you are allowed 26½ pounds in foreign countries. At 25 cents per pound that would be about $6.62 for bagging and ties. That bagging and ties cost originally 85 cents, or not over a dollar. Do you think any cotton mill would pay $6.62 for a dollar's worth of bagging and ties that they can not spin or use at all in their mill?

Mr. MCCOY. As Mr. Inman explained, it is a matter of price all the way around. We have a line on the mills, we know what mills are in the market, and we know there are a dozen merchants working on that order. They can all add that tare just as well as we can, and, as Mr. Inman stated, we do not put that in our calculations any more; we just pass it on.

Mr. FULMER. You do not have to, because the mill takes care of that when they fix the price to you, knowing that the bale will carry 26½ pounds, bagging and ties that they can't use.

Mr. MCCOY. We are strongly opposed to legislation, especially along the line of anything that will turn the whole thing upside down again, as net weight would do; because the rules all over the world, in foreign countries, in this country, and everywhere else, would enter in there, and after all these years we have them all boiled down and have them reasonably well in mind as to how they work in different places, and if this net weight is put in that will all have to be changed again.

Mr. FULMER. Is it not a fact this is the only country that sells on gross weight?

Mr. MCCOY. I do not know.

Let us quote here a small part of the statement of the president of the American Cotton Shippers Association, Mr. J. M. Locke, who resides at Muskogee, Okla. A committee representing his association has been advising the association for years that a net-weight basis should be brought about, and yet from year to year we are still putting on from 21 to 30 pounds of disgraceful jute. He even acknowledged before our committee that farmers did not get any pay for the 21 pounds that they were allowed to put on their cotton; but it does not stop there. Farmers lose 9 pounds that are patched on by Mr. Locke's folks, which is also taken out of the farmer's price, which would be, at 20 cents per pound, $1.80 per bale, or $27,000,000 annually:

Mr. FULMER. Do you know Mr. Bowen, of New Orleans, who used to be with the cotton market there?

Mr. LOCKE. I know Mr. Bowen by reputation, not personally.

Mr. FULMER. He appeared in a conference with the Department of Agriculture, February, 1925, outlining the matter of tare. He said, in the last analysis, inasmuch as the cotton merchant did not buy bagging and ties, the cost all went right back to the producer. I can see, as a cotton merchant, how you would not take into consideration the tare, except for your patching, in connection with your price that you might pay the cotton merchant in the interior or the producer, as you base your price on the price that you receive from the cotton mill or from some foreign mill.

Mr. LOCKE. Yes, sir.

Mr. FULMER. Then the mill in making their price to you, they take into consideration the tare, and therefore you do not have anything to do with that?

Mr. LOCKE. Mr. FULMER, my point was specifically directed to the point that the cotton merchant does make a profit on his tare, but it is a profit that is absolutely essential, since it is necessary to put a patch on the bale.

Answering the point that you bring up, I quite agree that, in the final analysis, when the mill buys a bale of cotton they know that they are not going to consume the tare and they figure accordingly.

Mr. FULMER. And when the farmer gets a gross price, naturally he is getting a price less the amount figured off by the mill for the tare.

Mr. LOCKE. Yes, sir.

Mr. FULMER. For instance, 30 pounds in foreign countries.

Mr. LOCKE. Twenty-six and one-half, Mr. FULMER, for the sake of the record.

Mr. FULMER. Say 26½; but Mr. Howard, who has had lots of experience in selling cotton for export, will tell you they figure a little difference in the price, and Mr. Beveridge makes the statement, representing the Department of Agriculture, that in the last analysis it was about 30 pounds; but say 26½ pounds——

Mr. LOCKE. I want to be on record as disagreeing with anything in excess of approximately 26½ pounds for a 500-pound bale.

Mr. FULMER. Twenty-six and one-half pounds, at 20 cents a pound, would be $5.30 a bale.

Mr. LOCKE. Yes, sir.

Mr. FULMER. For tare that the mills can not use.

Mr. LOCKE. That is correct.

Mr. FULMER. This would show absolutely, if they buy on gross weights, that they fix the price so as to take care of that tare, which amounts to over 1 cent per pound.

Mr. LOCKE. Yes, sir; I quite agree with you. The first effect that the producer is going to see is that when we buy a 500-pound bale of cotton from the producer the buyer is going to sit down and deduct 21 pounds, and then he is going to figure at the contract price.

Mr. FULMER. In connection with that element, Mr. Locke, the thing that we can not explain to the producer to-day is that the cotton merchant is allowed 26½ pounds tare on export cotton, we will say—although I believe we can show it is 30 pounds, and in a great many instances they put on more, because it is gross weight—but the cotton merchant is allowed 30 pounds tare. The farmer in the meantime can put on only 21 pounds. There are 9 pounds tacked on by the merchant at a cost of about 3 cents a pound that the shipper or merchant gets about 20 or 25 cents a pound, according to the price of cotton, which would be $1.80 a bale direct loss to the producer. The next thing we can not show the producer and the cotton merchant in the interior who is anxious to see the producer succeed is why we should put on 21 or 30 pounds, which means excess freight, extra cost of insurance, with considerable waste all the way down the line, which is absolutely figured out of the producer, which amounts to millions annually, which has been brought out in the testimony, and has been agreed to by everybody that knows anything about the wasteful method of taring cotton.

We are trying to eliminate these expenses on the farmer, and I am sure that he will thoroughly understand that when he is able to use cotton bagging, which would give him a better price and eliminate all this waste, he will be glad to have it.

I quote from the hearings a part of statement made by Mr. Claud H. Hutcheson, Jonesboro, Ga. Mr. Hutcheson, like all the rest of these jute manufacturers, is very much interested in the farmer. You will note that he used to be a large farmer, but had to quit farming because he could not make any money, but will admit that he has grown rich under his new occupation—manufacturing jute bagging and selling to farmers:

STATEMENT OF CLAUD H. HUTCHESON, JONESBORO, GA.

The CHAIRMAN. Please state your full name, your residence, and for whom you appear.

Mr. HUTCHESON. My name is Claud H. Hutcheson, of Jonesboro, Ga.; manufacturer of rerolled bagging for covering cotton. I manufacture

rerolled bagging stripped from the cotton bales, reclaiming that which is being used—reclaiming sufficient covering for 2 to 2½ per cent of the crop. That is my production.

Mr. FULMER. Mr. Hutcheson, you used to run a good big farm yourself?

Mr. HUTCHESON. Yes, sir.

Mr. FULMER. You are not farming now?

Mr. HUTCHESON. No.

Mr. ASWELL. Why?

Mr. HUTCHESON. I can not make any money out of it.

Mr. ADKINS. Do you believe if the importers of jute and the manufacturers of jute bagging did not get any profit out of that particular part of the cotton business that they would be here opposing this bill? In other words, it would not concern a dealer how much the bagging cost the farmer, as they would charge it up to him anyhow. But the motive behind the opposition to this bill is prompted by the profits the importers of jute and the manufacturers of jute bagging get out of that individually, is it not?

Mr. HUTCHESON. Of course, they make some profit; yes.

Mr. ADKINS. What is the motive for opposing this legislation?

Mr. HUTCHESON. Well, I am opposing it because I do not think the farmer would benefit by it.

Mr. ADKINS. Many come here trying to shed crocodile tears over the farmer. But let us get down to cases: You know and I know that the cost of whatever bagging is used is charged back to the farmer. The sole motive behind this bill is not what the cotton bagging is going to cost the farmer but that it will cut out the profits of the importer of jute and the manufacturer of jute bagging; and that is the fly in the ointment, is it not?

I want you Representatives from cotton States who would rather play politics by voting against this legislation, believing that you will be unable to explain to your cotton farmers about the advantages of selling on a net-weight basis and restricting tare allowance not to exceed 15 pounds, which would eliminate the old jute bagging that we are now using, to listen very carefully to what Mr. Jenkins had to say before our committee:

STATEMENT OF JOHN S. JENKINS, JR., NORFOLK, VA.

The CHAIRMAN. Please state your full name and address.

Mr. JENKINS. My name is John S. Jenkins, jr. I am from Norfolk, Va.

For some forty-odd years my father before me and myself have been engaged in the cotton business, and, incidentally, we are also engaged in the manufacture of jute bagging for covering cotton.

This bill has been brought to our attention, and we are very much in accord with Judge Covington's statement in his brief. We are not opposing, primarily, the trading in cotton on a net-weight basis; what we are opposing is legislation to bring that about.

Mr. ASWELL. What is the weight of your jute bagging per bale?

Mr. JENKINS. The 2-pound bagging produces a tare weighing 12 pounds to the bale. That is all we make—only one grade and only one weight.

Mr. FULMER. Does that include the weight of patches?

Mr. JENKINS. That does not include the bagging at the port.

Mr. FULMER. And then the tare, including the patches, will make the tare 26 to 30 pounds?

Mr. JENKINS. At Norfolk the ordinary custom is 4 pounds additional for patching, but by special arrangements they have an option which runs your patches up as high as 6 pounds.

Mr. FULMER. For export?

Mr. JENKINS. In Norfolk; and in Texas, 8 pounds, and at some of the other ports, 6 pounds.

Mr. FULMER. Do you not think it is bad practice to allow 30 pounds for tare when we do not need that amount?

Mr. JENKINS. It comes right back to this, as far as the farmer is concerned: He gets the money for the cotton, because if he puts 30 pounds tare on it the buyer pays him less for it and the mill that buys the bale of cotton with 30 pounds tare on it is invariably buying that cotton just a little cheaper.

Mr. FULMER. In other words, the mill buys its cotton on a net basis?

Mr. JENKINS. That is practically what it amounts to to-day.

Mr. FULMER. You state those losses on account of patching are all done away with so far as the disadvantage to the farmer is concerned. We are not contending anything about that, but the price is made by the mills who spin the cotton, and they make a price to take care of 30 pounds tare. You know Mr. Locke, who is the head of the Cotton Shippers' Association. Let us see what he says. [Reading:]

"Answering the point that you bring up, I quite agree that, in the final analysis, when the mill buys a bale of cotton they know that they are not going to consume tare and they figure accordingly.

"Mr. FULMER. And when the farmer gets a gross price, naturally, he is getting a price less the amount figured off by the mill for the tare?

"Mr. LOCKE. Yes, sir."

Cotton merchants testified before our committee, and Mr. Beveridge, from the Department of Agriculture, makes the same statement.

I think the following was a slip of the tongue, but should convince any "Doubting Thomas":

Mr. JENKINS. Yes; but we will ask you to consider a cotton mill of North Carolina, buying cotton in the field, pays more for their cotton, with no patching on it, than the man who buys cotton at a mill, where he knows he is going to get compressed-bale cotton with patching on it.

In this statement you will note mills take note in making their price for lint cotton the amount of bagging patched on. Surely, then, you would not contend that mills do not take into consideration bagging and ties as a whole in making their price for lint cotton.

In conclusion, I would like to state that manufacturers of jute bagging are writing cotton-gin men asking them to write their Senators and Congressmen protesting against this legislation, stating that it will cost cotton farmers millions annually. This is a strange propaganda. When did jute manufacturers and the handlers of jute become so alarmed about the farmers' welfare that they must come out and fight the farmers' battles?

I am now quoting from a reprint from the financial journal, Capital, of Calcutta, India, which perhaps will give us some inside information why manufacturers of jute are so concerned about this legislation:

In American currency the total invested ordinary capital (common stock) of jute mills in India is $50,279,092. Earnings for the last complete year, 1927, were $20,767,933, or 41.31 per cent, on the outstanding common stock. The average common earnings for the past eight years, 1920 to 1927, inclusive, were $18,496,198, or 36.79 per cent.

The total market value of these common or ordinary stocks is $197,535,150, or approximately four times the original investment.

In the meanwhile, my friends, farmers are simply acting as sales agents for the Jute Trust of American at a cost to farmers annually of millions of dollars. The serious question that I want to ask you, my colleagues, is, Are you for the Jute Trust or are you for the farmers? Your vote on this legislation will be the real answer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MCSWAIN (at the request of Mr. FULMER), until May 15, on account of illness.

To Mr. HARE (at the request of Mr. STEVENSON), for two days, on account of illness in family.

To Mr. WELCH of California, indefinitely, on account of sickness in family.

ADJOURNMENT

Mr. HAWLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 21 minutes p. m.) the House adjourned until to-morrow, Friday, May, 10, 1929, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

13. Under clause 2 of Rule XXIV, a letter from the Comptroller General of the United States, transmitting report and recommendation to the Congress concerning the claim of Kremer & Hog, Minneapolis, Minn., against the United States (H. Doc. No. 16), was taken from the Speaker's table and referred to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HAWLEY: Committee on Ways and Means. H. R. 2667. A bill to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes; without amendment (Rept. No. 7). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRAIL: A bill (H. R. 2740) to authorize the sale of certain lands of the United States to the city of Los Angeles, Calif., to protect the watershed supplying water to said city; to the Committee on the Public Lands.

By Mr. KETCHAM: A bill (H. R. 2741) to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928; to the Committee on Agriculture.

By Mr. COOKE: A bill (H. R. 2742) to amend section 52 of the Judicial Code of the United States; to the Committee on the Judiciary.

By Mr. DOUGLAS of Arizona: A bill (H. R. 2743) to amend section 4 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. FISHER: A bill (H. R. 2744) to regulate the use of motor-propelled vehicles of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 2745) to authorize appropriations for contingencies of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 2746) to amend section 127a, national defense act, to authorize Engineer officers to attend civil technical institutions; to the Committee on Military Affairs.

Also, a bill (H. R. 2747) to authorize payments in advance for subscriptions to newspapers and periodicals and for certain expenses of military attachés; to the Committee on Military Affairs.

Also, a bill (H. R. 2748) to authorize the erection of monuments or memorials to commemorate the encampments of Spanish War organizations at Chickamauga and Chattanooga National Military Park; to the Committee on Military Affairs.

By Mr. HALE: A bill (H. R. 2749) to equalize the pay and allowances of officers of the Navy and Marine Corps on sea duty or overseas expeditionary duty; to the Committee on Naval Affairs.

By Mr. JAMES (by request of the War Department): A bill (H. R. 2750) to amend section 90 of the national defense act as amended relative to the employment of caretakers for National Guard organizations; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 2751) to authorize appropriations for payment of exchange by Army officers; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 2752) to authorize accounting for the appropriation "Pay, etc., of the Army," as one fund, and for the appropriation "Pay of the Military Academy" as one fund; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 2753) to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction into the military service was, through no fault of their own, not formally completed on or prior to November 30, 1918; to the Committee on Military Affairs.

Also, a bill (H. R. 2754) to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 2755) to increase the efficiency of the Veterinary Corps of the Regular Army; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 2756) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

By Mr. BAIRD: A bill (H. R. 2757) for the erection of a public building at the city of Fostoria, State of Ohio, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. BOHN: A bill (H. R. 2758) to authorize the Secretary of Commerce to convey to the State of Michigan for park purposes the Cheboygan Lighthouse Reservation, Mich.; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD (by request): A bill (H. R. 2759) to amend the retirement laws affecting certain grades of Army officers; to the Committee on Military Affairs.

By Mr. JAMES: A bill (H. R. 2760) to prohibit the assignment of certain civilian employees to any bureau of the War Department; to the Committee on Military Affairs.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 2761) authorizing the use of tribal moneys belonging to the Kiowa, Comanche, and Apache Indians, of Oklahoma, for certain purposes; to the Committee on Indian Affairs.

By Mrs. OLDFIELD: A bill (H. R. 2762) to amend section 19 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. REED of New York: A bill (H. R. 2763) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress; to the Committee on the Census.

By Mr. BECK: Joint resolution (H. J. Res. 71) providing for the participation of the United States in the preparation and completion of plans for the comprehensive observance of the one hundred and fiftieth anniversary of the formulation of the Constitution of the United States; to the Committee on Rules.

By Mr. SUMNERS of Texas: Concurrent resolution (H. Con. Res. 5) to provide for an inquiry with regard to procedure in impeachment cases; to the Committee on Rules.

By Mr. ELLIOTT: Resolution (H. Res. 43) authorizing the printing as a public document the addresses delivered April 25 and 26, 1929, at the United States Chamber of Commerce building on the development of the city of Washington; to the Committee on Printing.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the Territory of Alaska, urging the passage of H. R. 251, classifying and fixing the salaries of United States commissioners in Alaska; to the Committee on the Judiciary.

Memorial of the State Legislature of the State of Wisconsin, earnestly requesting the Congress of the United States to enact legislation to give Federal aid toward reforestation by States and counties; to the Committee on Agriculture.

By Mr. COYLE: Memorial of the State Legislature of the State of Pennsylvania, urging the Congress of the United States to amend the tariff law in a manner that will bring adequate protection to the coal, textile, and art-glass industries of Pennsylvania from destructive foreign competition; to the Committee on Ways and Means.

By Mr. KELLY: Memorial of the State Legislature of the State of Pennsylvania, urging the Congress of the United States to amend the tariff law in a manner that will bring adequate protection to the coal, textile, and art-glass industries of Pennsylvania from destructive foreign competition; to the Committee on Ways and Means.

By Mr. MAGRADY: Memorial of the Legislature of the State of Pennsylvania, urging the amendment of the tariff law so as to protect the coal, textile, and art-glass industries from destructive foreign competition; to the Committee on Ways and Means.

By Mr. WATRES: Memorial of the State Legislature of the State of Pennsylvania, memorializing the Congress of the United States, and especially the United States Senator and Congressmen from Pennsylvania, to use their best offices in an effort to amend the tariff law in a manner that will bring adequate protection to the coal, textile, and art-glass industries of Pennsylvania from destructive foreign competition; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 2764) granting an increase of pension to Elizabeth Contz; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 2765) granting an increase of pension to Elizabeth Copenhaver; to the Committee on Invalid Pensions.

By Mr. BLACKBURN: A bill (H. R. 2766) granting an increase of pension to Ellen B. Wurtz; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 2767) for the relief of James Evans; to the Committee on Military Affairs.

By Mr. BRAND of Ohio: A bill (H. R. 2768) granting an increase of pension to Sullivan W. Buck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2769) granting an increase of pension to Alice R. Arnold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2770) granting an increase of pension to Susan Bales; to the Committee on Invalid Pensions.

By Mr. COOKE: A bill (H. R. 2771) granting an increase of pension to Anna M. Buell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2772) granting an increase of pension to Julia B. Leibrich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2773) granting a pension to Hattie R. Feldman; to the Committee on Pensions.

Also, a bill (H. R. 2774) to correct the military record of John Dewitt Marvin; to the Committee on Military Affairs.

Also, a bill (H. R. 2775) for the relief of Charlotte Martin, widow of Norman B. Martin; to the Committee on Military Affairs.

Also, a bill (H. R. 2776) for the relief of Dr. Charles F. Dewitz; to the Committee on Claims.

Also, a bill (H. R. 2777) for the relief of Charles E. MacDonald; to the Committee on Claims.

Also, a bill (H. R. 2778) authorizing the President of the United States to present in the name of Congress a congressional medal of honor to Sergt. Frank J. Williams; to the Committee on Military Affairs.

By Mr. CRAIL: A bill (H. R. 2779) granting a pension to Rebecca J. Abel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2780) granting a pension to Frank M. Van Dyke; to the Committee on Pensions.

Also, a bill (H. R. 2781) granting an increase of pension to Raymond B. Moore; to the Committee on Pensions.

By Mr. GIFFORD: A bill (H. R. 2782) for the relief of Elizabeth B. Dayton; to the Committee on Claims.

By Mr. HALL of Illinois: A bill (H. R. 2783) for the relief of A. J. Schliesser; to the Committee on Military Affairs.

Also, a bill (H. R. 2784) granting a pension to Charles C. Sterling; to the Committee on Pensions.

By Mr. HALL of Indiana: A bill (H. R. 2785) granting a pension to Carrie Harris; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 2786) for the relief of Alex Silvola; to the Committee on Claims.

By Mr. HOPKINS: A bill (H. R. 2787) granting a pension to Susan Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2788) granting an increase of pension to Josephine Moore; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 2789) granting an increase of pension to Nancy Ann Rouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2790) granting an increase of pension to Minia Pierpoint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2791) granting an increase of pension to Sarah A. Fox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2792) granting a pension to Joseph M. Lenegar; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 2793) granting six months' pay to Lucy B. Knox; to the Committee on Naval Affairs.

Also, a bill (H. R. 2794) for the relief of the Monumental Stevedore Co.; to the Committee on Claims.

Also, a bill (H. R. 2795) for the relief of the heirs of Burgess Hammond; to the Committee on War Claims.

Also, a bill (H. R. 2796) for the relief of Capt. Walter S. Bramble; to the Committee on Military Affairs.

By Mr. LUCE: A bill (H. R. 2797) granting a pension to Alice Grace Welch; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 2798) granting an increase of pension to Mary P. L. Schrader; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 2799) for the relief of Francis B. McCloskey; to the Committee on Military Affairs.

Also, a bill (H. R. 2800) to correct the military record of Lemuel Horton; to the Committee on Military Affairs.

Also, a bill (H. R. 2801) for the relief of John Strevy, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 2802) granting a pension to Fred C. Vanderpool; to the Committee on Pensions.

By Mr. MILLIGAN: A bill (H. R. 2803) granting a pension to Malissa A. Pitts; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 2804) granting a pension to Sarah Ann Jones; to the Committee on Invalid Pensions.

By Mr. NEWTON: A bill (H. R. 2805) for the relief of Edwin Lockwood MacLean; to the Committee on Military Affairs.

Also, a bill (H. R. 2806) for the relief of Raymond L. Higgins; to the Committee on Naval Affairs.

Also, a bill (H. R. 2807) for the relief of Howard A. Jussell; to the Committee on War Claims.

Also, a bill (H. R. 2808) for the relief of Robert J. Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 2809) for the relief of Adelaide (Ada) J. Walker Robbins; to the Committee on Military Affairs.

Also, a bill (H. R. 2810) for the relief of Katherine Anderson; to the Committee on Claims.

Also, a bill (H. R. 2811) granting a pension to Katharine May Smith; to the Committee on Pensions.

Mr. Mr. O'CONNOR of New York: A bill (H. R. 2812) granting a pension to Hugh Peter McKeon; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 2813) granting a pension to Diana Patterson; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 2814) for the relief of Melissa Switzer; to the Committee on Military Affairs.

By Mr. STALKER: A bill (H. R. 2815) granting an increase of pension to Julia McChesney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2816) granting an increase of pension to Mary Granger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2817) granting an increase of pension to Harriet Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2818) granting an increase of pension to Adelia Van Wormer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2819) granting a pension to Cora M. Bogardus; to the Committee on Pensions.

By Mr. STOBBS: A bill (H. R. 2820) granting an increase of pension to Cecelia Stearns; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 2821) granting an increase of pension to Virginia L. Jones; to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 2822) for the relief of J. E. Reddick; to the Committee on Claims.

By Mr. WINGO: A bill (H. R. 2823) granting a pension to Mary E. Rebsamen; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

341. Petition of the Manila Camp, No. 50, United Spanish War Veterans, of Ohio, that when there shall be a vacancy in the membership of the Civil Service Commission of the United States the President is respectfully requested to appoint thereto a competent veteran of the war with Spain; to the Committee on the Civil Service.

342. Petition of the United Spanish War Veterans, Department of Ohio, urging the Civil Service Commission to amend and enforce its rules that eligibility for employment of veterans of the military and naval forces of the United States in time of war shall be and remain open to all such veterans for any and all employment in the civil service of the Government as they shall be individually capable physically and mentally to perform; to the Committee on the Civil Service.

343. Petition of the Pacific Coast Travelers Association, of San Francisco, Calif., memorializing Congress of the United States for a reduction of 50 per cent in the Federal tax on earned incomes; to the Committee on Ways and Means:

344. By Mr. BLOOM: Petition of the Capt. Belvidere Brooks Post, No. 450, American Legion, New York County, N. Y., indorsing the McNamee report in favor of the service officers pay bill; to the Committee on Military Affairs.

345. By Mr. CONNERY: Petition of the Syrian-American Citizens Society, Lawrence, Mass., protesting against insult to Americans of Syrian origin; to the Committee on Immigration and Naturalization.

346. By Mr. GARBER of Oklahoma: Petition of the National Civil Service Reform League, protesting against the census bill (H. R. 5); to the Committee on the Census.

347. By Mr. JOHNSON of Texas: Petition of Southwestern Division of American Association for the Advancement of Science, favoring importation of scientific instruments free of tariff duty; to the Committee on Ways and Means.

348. By Mr. O'CONNELL of New York: Petition of the National Civil Service Reform League, New York City, opposing the passage of House bill 5, census bill, in its present form; to the Committee on the Census.

349. Also, petition of the Northeastern Retail Lumbermen's Association, of Rochester, N. Y., opposing the proposed duty on lumber and shingles; to the Committee on Ways and Means.

350. By Mr. SPEAKS: Evidence in support of House bill 2715, granting a pension to Flora Newman; to the Committee on Invalid Pensions.

351. Also, evidence in support of House bill 2716, granting a pension to Nancy White; to the Committee on Invalid Pensions.

352. Also, evidence in support of House bill 2717, granting a pension to Mary Anderson; to the Committee on Invalid Pensions.

353. Also, evidence in support of House bill 2720, granting an increase of pension to Hattie Black; to the Committee on Pensions.

354. Also, evidence in support of House bill 2721, granting an increase of pension to Mary Ellen Dalgarn; to the Committee on Invalid Pensions.

355. Also, evidence in support of House bill 2722, granting an increase of pension to Elizabeth R. McConnell; to the Committee on Invalid Pensions.

356. Also, evidence in support of House bill 2723, granting an increase of pension to Mary Slosser; to the Committee on Invalid Pensions.

357. Also, evidence in support of House bill 2724, granting an increase of pension to Alice E. Chapman; to the Committee on Invalid Pensions.

358. Also, evidence in support of House bill 2725, granting an increase of pension to Ellen M. Carey; to the Committee on Invalid Pensions.

359. Also, evidence in support of House bill 2726, granting an increase of pension to Eliza J. Wilson; to the Committee on Invalid Pensions.

360. Also, evidence in support of House bill 2727, granting an increase of pension to Josephine A. Carlton; to the Committee on Invalid Pensions.

SENATE

FRIDAY, *May 10, 1929*

(Legislative day of Tuesday, May 7, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. GOFF obtained the floor.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Fletcher	McMaster	Smoot
Ashurst	Frazier	McNary	Steck
Barkley	George	Metcalf	Steiwer
Bingham	Gillett	Moses	Stephens
Black	Glenn	Norbeck	Swanson
Blaine	Goff	Norris	Thomas, Idaho
Blease	Gould	Nye	Thomas, Okla.
Borah	Greene	Oddie	Trammell
Brookhart	Hale	Overman	Tydings
Broussard	Harris	Patterson	Tyson
Burton	Harrison	Phipps	Vandenberg
Capper	Hatfield	Pine	Wagner
Caraway	Hawes	Pittman	Walcott
Connally	Hayden	Ransdell	Walsh, Mass.
Copeland	Hebert	Reed	Walsh, Mont.
Couzens	Heflin	Robinson, Ark.	Warren
Cutting	Howell	Robinson, Ind.	Waterman
Dale	Johnson	Sackett	Watson
Deneen	Kean	Schall	Wheeler
Dill	Keyes	Sheppard	
Edge	King	Shortridge	
Fess	La Follette	Simmons	

Mr. DILL. I wish to announce that my colleague [Mr. JONES] is detained from the Senate owing to illness.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, there is a quorum present. The Senator from West Virginia is entitled to the floor.

MOTHER'S DAY

Mr. GOFF. Mr. President, Mother's Day originated with Miss Anna Jarvis, of Grafton, W. Va., now of Philadelphia. Her mother was an unusual and outstanding character in the community life of that well-known city, and at her death all who knew her, in a spirit of love and reverence, requested that a memorial be arranged in which they all might participate. In planning this tribute Miss Jarvis conceived the idea of a national memorial to the American mother. She recognized the prevailing widespread influence of the material spirit of the day. She saw the effect of the neglect of home ties engendered by the whirl and pressure of modern life. She, as we all do, felt the lack of deference and respect to their parents among the children of this generation, and so she was laudably and gratefully impelled by her own great grief to remind everyone of the debt we owe our mothers.

In May, 1914, Congress designated the second Sunday in that month as Mother's Day, and duly authorized the President to issue a proclamation calling upon all Government officials and inviting the people of the Nation to display the American flag on all Government buildings and in their homes on that day.

Centuries ago a discerning philosopher discovered that "The pearl is the image of purity, but woman is purer than the pearl." Homer, 500 years later, immortalized the Grecian mother in the proud description: "She moves a goddess, and she looks a queen." In all human thought there is not a nobler, higher, finer ideal than the word "mother." In every age it has gardened the earth with the blossoms of love—the flowers of heaven. Motherhood is the salvation or the destruction of the race, carrying as it does the destinies of mankind in the folds of its mantle.

A great thinker in thoughts divine from his scholastic soul tells us thus:

> When Eve was brought unto Adam, he became filled with the Holy Spirit, and gave her the most sanctified, the most glorious of appellations. He called her Eva, that is to say, the Mother of All. He did not style her wife, but simply mother, mother of all living creatures. In this consists the glory and the most precious ornament of woman.

How beautiful, and how inspiringly true! Never can we forget our noble, sainted mothers. On the blue mountains of our dim childhood, toward which we ever turn and gaze, stand today the angelic mothers who marked out to us from whence our course should be and how our lives should be lived. And Shakespeare sees her:

> So pure and sweet, her fair brow seemed eternal as the sky,
> And like the brook's low song, her voice,
> A sound that could not die.

She made life a heaven here because she believed in and taught the gospel of cheerfulness, love, happiness, and hope. She lived and she suffered for truth, sympathy, intellectual, and moral liberty. She gave her best, the sunshine of an earnest, honest, gifted soul, for the good of others. She lived and she lives for home, family, and country, with a devotion that transcends words. She loved the poor, the helpless, the victims of toil and want. She pitied, and she abhorred deceit. She hated falsehood in any form, and she gave always, without expecting return, what she claimed or exacted from others. She lived her principles and looked always with forgiving, tender eyes upon our failings. She beguiled our grief with soothing care, and mended our broken hopes with caressing and tender promises of sweet reward. Always she was positive without severity, and firm without arrogance. She taught us courage, intelligence, integrity, and the mighty hopes that make us men. She taught our helpless lips to lisp the blessings that came to them from her heart, her body, and her soul. She reared us to know and feel that life is to live and love, those who love us here—

> Thou art thy mother's glass and she in thee
> Calls back the lovely April of her prime.

And may the gratitude of our lives ever mirror her image and reflect her divinity.

> She led me first to God;
> Her words and prayers were my young spirit's dew
> For when she used to leave
> The fireside every eve,
> I knew it was for prayer that she withdrew.

She enriched mankind with grace supreme. She was an angel of charity and always busy beyond her strength and her means. Yes; how cheerful she was as she moved among us, and knowing that her influence was a power in trust she builded ever for posterity. She loved the good and all the worth while loved her. She taught us to think, and to know that the home was merely a miniature of the larger world outside. She made the hearthstone sacred, and, forgetting self, she sought favors only for those she served. She was free. No evil could bribe her mind or intimidate her soul, and she knew no fear except the fear of doing wrong. Ever in honoring our mothers we pay a tribute to ourselves and testify to our ideals. Thus we come to realize that only the voiceless speak forever, and that from her fair and unpolluted flesh violets spring and blossom, perfuming the world with peace and love and joy.

> A mother's love, how sweet the name,
> What is a mother's love?
> A noble, pure, and tender flame
> Enkindled from above
> To bless a heart of earthly mold,
> The warmest love that can grow cold
> This is a mother's love.

If we would know our mother, her life, her heart, her motives, the depth and the tenderness of her sympathy, the nobleness of her nature, the beauty of her spirit, and the splendid integrity of her stainless soul, we must go stand by her grave and let the memories of childhood surge and resurge through the mind. She will come back from the palace of eternity in all the dignity and the grace of her blessed perfection. She will come back like faint, exquisite music, so kind, so beautiful, so gentle, so holy, with that smile which will ever be to us our first glimpse of God and love as she scattered the